THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

C.R.P.No.445 of 2014

ORDER:

This Civil Revision Petition is filed under Article 227 of the Constitution of India challenging the inaction on the part of the trial Court in disposing of I.A.No.171 of 2014 in O.S.No.15 of 2014 on the file of the Principal District Court, West Godavari District, at Eluru.

2. Heard the learned counsel appearing for both the parties and perused the material available on record.

3. A perusal of the record reveals that the petitioner herein filed O.S.No.15 of 2014 on the file of Principal District Court, Eluru, against the respondents for specific performance. During pendency of the suit, the petitioner filed I.A.No.171 of 2014 under Order 39 Rule 1 CPC seeking ad-interim injunction. The trial Court ordered notice in I.A.No.171 of 2014. Challenging the issuance of notice by the trial Court, the petitioner preferred the revision. A perusal of the record reveals that I.A.No.171 of 2014 is pending before the trial Court.

4. Taking into consideration the facts and circumstances of the case, this Court is of a considered view that it is a fit case to direct the trial Court to dispose of I.A.No.171 of 2014.

5. In the result, the Civil Revision Petition is disposed of directing the learned Principal District Judge, Eluru, to dispose of I.A.No.171 of 2014 in O.S.No.15 of 2014 in accordance with

law. There is no order as to costs. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

T.SUNIL CHOWDARY, J

27.11.2018
Rns