

**THE HON'BLE SRI JUSTICE N.BALAYOGI**

**C.R.P. No.366 of 2016**

**ORDER:**

This revision under Article 227 of constitution of India is filed seeking to set aside the order dated 17.11.2015 in I.A.No.315 of 2014 in O.S.No.704 of 2014 on the file of XVI Additional District and Sessions Judge-cum-XVI Additional Metropolitan Sessions Judge, Ranga Reddy District, Malkajgiri.

2. The contention of the petitioner, who is the defendant before the trial Court, is that there is a dispute with the plaintiff-respondent herein with regard to the quantum of rent and that there is an advance amount of Rs.10,28,740/- with the respondent herein and that there is also counter claim by the petitioner herein.

3. Whereas the respondent claims that the petitioner has already vacated the premises and in view of the interim stay granted by this Court on 11.03.2016, trial Court could not proceed further in O.S.No.704 of 2014.

4. In view of the above, both the counsel, across the Bar, reported that since the petitioner already vacated the premises and since there is a counter claim by the petitioner herein, it is better to dispose of the revision with a direction to the trial Court to dispose of the main suit itself by vacating the interim stay granted by this Court. Further, the counsel for the respondent reported that anyhow, the respondent herein is not insisting for implementation of the impugned orders passed in I.A.No.315 of 2014 dated 17.11.2015.

5. Considering the above, the revision is disposed of and the order dated 17.11.2015 passed in I.A.No.315 of 2014 in O.S.No.704 of 2014 is hereby recalled. The interim stay granted by this Court on 11.03.2016 is vacated and the trial Court is directed to dispose of the suit in O.S.No.704 of 2014 in accordance with law, as early as possible, after affording opportunity to both the parties. No costs.

Consequently, Miscellaneous Petitions pending, if any, shall stand closed.

19<sup>th</sup> April, 2018  
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JUSTICE N.BALAYOGI

