

THE HON'BLE SRI JUSTICE D.V.S.S.SOMAYAJULU

CIVIL REVISION PETITION No.673 of 2014

ORDER:

This civil revision petition is filed questioning the order, dated 27.01.2014, passed in I.A.No.255/2013 in I.A.No.213/2006 in O.S.No.80/2006, on the file of the Junior Civil Judge, Kalwakurthy.

The application that is filed in the lower court is for grant of police aid for implementing the order of injunction. The averments are that on 23.08.2013 at 10 a.m the respondents/defendants came to the suit schedule property and trespassed into the same. Therefore, the application is filed seeking police protection for proper implementation of the injunction orders granted by the District and Sessions Judge, Mahaboobnagar on 11.06.2013 in CMA No.37/2012.

The court below heard both the petitioners and the respondents and dismissed the application. Questioning the same, the present revision petition is filed.

On 12.11.2018 the learned counsel for the petitioners wanted to ascertain if there is need that the CRP to be prosecuted and particularly as there is no instance of interference by the respondents in the last four years. On 20.11.2018 also the learned counsel sought time to ascertain the facts. Today, when the matter is called, the learned counsel for the petitioners is not in a position to state whether the cause survives or not.

However, after hearing the learned counsel, this court notices that the impugned order is passed in an issue regarding an alleged incident that took place on 23.08.2013. There are no complaints whatsoever of any subsequent interference etc. Hence, this court is of the opinion that

passing any orders in this revision petition against orders, dated 27.01.2014 do not really arise. The civil revision petition is therefore dismissed. Needless to say that if there is an injunction in favour of the petitioners and there is a violation of the same, the law gives them the liberty to file a proper application. In the circumstances, no costs.

Pending miscellaneous applications, if any, shall stand closed in consequence.

D.V.S.S.SOMAYAJULU,J

Date: 22.11.2018
Dsr

