

HON' BLE SRI JUSTICE C.PRAVEEN KUMAR

CIVIL REVISION PETITION Nos. 6451 and 6490 of 2018

COMMON ORDER:

The present Civil Revision Petitions are filed under Article 227 of the Constitution of India, challenging the decree and order dated 26.07.2018 passed in C.M.A.Nos. 9 of 2016 and 8 of 2016 respectively in I.A.No. 181 of 2016 in O.S.No. 92 of 2016 on the file of the XIII Additional District Judge at Narasaraopet.

2. O.S.No. 92 of 2016 was filed seeking permanent injunction restraining the respondents from causing any obstruction to the petitioner's peaceful possession and enjoyment of the suit schedule property. The petitioner herein filed I.A.No. 181 of 2016 in the said O.S, contending that the petitioner purchased the suit schedule property from its lawful owner by name Bunam Siddaiah, under a possessory agreement of sale dated 05.11.1977 and ever since then, he has been in peaceful possession and enjoyment of the suit schedule property. The petitioner was also issued a ryotwari patta pass book in his name in the year 2003. The petitioner further contends that though the respondents have no right, interest or title over the suit schedule property, they are interfering with the peaceful possession of the petitioner. Hence, the petitioner filed I.A.No. 181 of 2016 seeking temporary injunction. The respondents filed counter in the said I.A., disputing the title and possession of the petitioner. Considering

the submissions made by both parties, the Principal Junior Civil Judge, Narasaraopet passed orders in the said I.A., directing the respondents not to interfere with the peaceful possession and enjoyment of the suit schedule property.

3. Challenging the orders passed in I.A. 181 of 2016, C.M.A.No. 8 of 2016 came to be filed by the 3rd, 4th and 5th respondents, and C.M.A.No. 9 of 2016 came to be filed by the 1st and 2nd respondents before the XIII Additional District Judge, Narasaraopet, seeking to set aside the order passed in I.A.No. 181 of 2016. The appellate court, after considering the submissions of both parties, while allowing C.M.A.Nos. 8 and 9 of 2016, setting aside the order passed in I.A.No. 181 of 2016, directed the court below to dispose of the main suit within a period of six months from the date of receipt of a copy of the order. Challenging the same, the present C.R.P is filed.

4. Though various grounds are raised, both the counsel would contend that the Civil Revision Petitions can be disposed of in terms of the orders passed by the appellate court in C.M.A.Nos. 8 and 9 of 2016.

5. Having regard to the above, the present Civil Revision Petitions are disposed of, directing the court below to dispose of O.S.No. 92 of 2016, within the time stipulated by the appellate court in the order dated 26.07.2018 in C.M.A.Nos. 8 and 9 of 2016 in I.A.No. 181 of 2016. Till orders are passed in O.S.No. 92 of 2016, *status quo* as on today shall be maintained in all respects in

respect of the suit schedule property. There shall be no order as to costs. Miscellaneous petitions pending, if any, stand closed.

JUSTICE C. PRAVEEN KUMAR

23.11.2018
DMG

