

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

C.R.P.No.187 of 2019

O R D E R:

This Revision is filed under Article 227 of the Constitution of India challenging the order dt.21.12.2018 in I.A.No.689 of 2018 in CMA.No.4 of 2018 of the Senior Civil Judge, Sathupally, Khammam District.

2. Petitioners herein are plaintiffs in the above suit. They filed the said suit for Perpetual Injunction restraining the respondents from interfering with their possession and enjoyment of the plaint schedule property.

3. They also filed I.A.No.253 of 2017 under Order XXXIX Rules 1 & 2 of CPC for a temporary injunction pending the suit.

4. After contest, the said I.A. was dismissed on 23.08.2017.

5. Petitioners then challenged the same in CMA.No.4 of 2018 before the Senior Civil Judge, Sathupally. They also filed I.A.No.689 of 2018 for temporary injunction pending CMA.

6. After issuing notice to respondents and after considering contentions of both sides, the lower Appellate Court dismissed the said I.A., on 21.12.2018.

7. Assailing the same, this Revision is filed.

8. Though counsel for petitioners sought to contend that the petitioners are entitled to an *ad-interim* injunction pending disposal of the suit and that the trial Court as well as lower Appellate Court erred in dismissing I.A.No.253 of 2017 and I.A.No.689 of 2018, respectively, I am of the opinion that the interest of justice would be served if a direction is given to the Senior Civil Judge, Sathupally, Khammam District to decide the CMA.No.4 of 2018 itself.

9. Accordingly, this Civil Revision Petition is disposed of directing the Senior Civil Judge, Sathupally, Khammam District to dispose of the CMA.No.4 of 2018, after hearing both sides, as expeditiously as possible, preferably within a period of two (02) months from the date of receipt of a copy of this order. No order as to costs.

10. Consequently, Miscellaneous petitions pending if any shall stand dismissed.

M.S. RAMACHANDRA RAO, J

01st February, 2019.

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