

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Civil Miscellaneous Appeal No.773 of 2019

JUDGMENT:

This Civil Miscellaneous Appeal, under Order XLIII Rule 1 of CPC, is filed by the appellant/plaintiff, aggrieved by the order, dated 25.03.2019, passed in I.A.No.15 of 2019 in A.S.No.5 of 2019, by the III Additional District Judge, Gadwal, whereby, the petition filed by the appellant/plaintiff requesting the Court below to grant temporary injunction restraining the respondent/defendant from interfering with his possession and enjoyment over the suit schedule property, was dismissed.

2. Heard the learned counsel for both the sides and perused the record.

3. In the course of submissions, it is brought to the notice of this Court that arguments were advanced on behalf of the appellant/plaintiff in the main appeal in A.S.No.5 of 2019 before the Court below and the appeal is coming up for the arguments of the respondent/defendant. Under these circumstances, it is not appropriate for this Court to express any opinion on the merits and demerits of the case at this stage.

4. Under these circumstances, the learned III Additional District Judge, Gadwal, is directed to dispose of A.S.No.5 of

2019, pending on its file, within a period of thirty (30) days from the date of receipt of a copy of this judgment.

5. With the above direction, this Civil Miscellaneous Appeal is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this appeal, shall stand closed.

Dr. SHAMEEM AKTHER, J

20th December, 2019
Bvv

