

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION No.1797 of 2019

ORDER:

This civil revision petition is filed under Article 227 of the Constitution of India, by the petitioner herein/respondent No.11, aggrieved by the order dated 22.07.2019 passed in I.A.No.1359/2018 in I.A.No.1269/2019 in A.S.No.19/2019 by the learned XV Additional District Judge-cum-II Additional Family Judge, Ranga Reddy District at Kukatpally, wherein the Court below allowed the impugned application filed by the respondents 1 to 6 herein/petitioners seeking to suspend the order dated 11.07.2019 passed in I.A.No.1269 of 2019 till the notice is served to them (caveat petitioners in Caveat Petition No.368/2019).

2) Heard the learned counsel for the revision petitioner, learned counsel for the respondents and perused the record.

3) In the course of submissions it is brought to the notice of this Court that the impugned order dated 22.07.2019 was passed without notice to the revision petitioner. There is no dispute on this. The Court below ought to have given notice to the other side and taken a decision on merits, which has not been done so. Therefore, on this ground the impugned order dated 22.07.2019 passed in I.A.No.1359 of 2018 in I.A.No.1269 of 2019 in A.S.No.19 of 2019 by the Court below, is hereby set aside.

4) Further, both counsel had submitted that the parties are litigating the subject dispute from the year 2008 onwards and hence a direction may be given to the lower appellate Court to dispose of the subject Appeal Suit expeditiously.

5) Under these circumstances, the lower appellate Court is directed to dispose of the Appeal Suit No.19/2019 within six(6) months from the date of receipt of a copy of this order.

6) With the above findings/directions, this Civil Revision Petition is allowed. No order as to costs.

Miscellaneous petitions pending if any, shall stand closed.

Date: 25.09.2019
scs

Dr. SHAMEEM AKTHER, J

