

HON' BLE Dr. JUSTICE B. SIVA SANKARA RAO

Tr.CMP No.868 of 2017

ORDER

Heard both sides and perused the material on record.

Undisputedly, earlier in a revision petition insofar as O.S.No.504 of 2011 pending on the file of the XI Addl.District Judge, Visakhapatnam concerned, there was a direction for early disposal. Even in the present Transfer Petition seeking transfer of O.S.No.504 of 2011 from the XI Addl.District Judge, Visakhapatnam to the Addl.District Judge, Srikakulam, to try along with O.S.No.24 of 2011. It is from the endeavour the parties are mostly same in both the suits and the prayers in both the suits are for partition but for to say properties are different and major portion of the properties are at Srikakulam. Even then, once both the suits are required to be disposed of at a time or through simultaneous trial by clubbing as the case may be, as some of the issues are to be tried as to Dusa Adinarayana Rao and Dusa Sarojini Ramayamma died testate or intestate and there was any adoption of the D.9 by them. Thereby to subserve the ends of justice and undisputedly in both the suits trial not commenced but for if at all any witnesses examined it can be taken care of, the suit O.S.No.24 of 2011 is withdrawn from the court of the Addl.District Judge, Srikakulam and transferred to the Court of XI Addl.District Judge, Visakhapatnam where suit O.S.No.504 of 2011 is pending to try either simultaneously or jointly, as the case may

be, and dispose of preferably within six months in view of the earlier directions of this Court for expeditious disposal.

2. Accordingly and in the result, the Tr.CMP is allowed. Consequently, miscellaneous petitions, if any, pending in this Tr.CMP shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date:04.01.2018
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