

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

CIVIL REVISION PETITION NO.615 OF 2020

ORDER:

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed by the revision petitioner, who is defendant No.2, in the suit in O.S.No.166 of 2017 on the file of Principal District Judge, Medak at Sanga Reddy, for non-disposal of I.A.No.227 of 2017 in O.S.No.166 of 2017 filed by respondent Nos.1 to 3/plaintiffs, under Order XXXIX Rules 1 and 2 read with Section 151 C.P.C.

2. Learned counsel for the revision petitioner/defendant No.2 would submit that the subject suit is a collusive suit. Further respondent Nos.1 to 3/plaintiffs filed the afore-said Interlocutory Application under Order XXXIX Rules 1 and 2 read with Section 151 C.P.C. to grant *ad interim* injunction restraining the revision petitioners and respondent Nos.4 and 5/defendant Nos.1 and 3 from alienating the subject property and creating any charge over it. He further submitted that though arguments were heard and written arguments were submitted, the Court below has not passed orders on the said application and posted the case to 24.03.2020. Therefore, a direction may be issued to the Court below to dispose of afore-said Interlocutory Application.

3. It is informed to the Court that there is no regular Presiding Officer to the Court of V Additional District Judge, Medak at Sangareddy and the matter is being taken up by learned Principal District Judge, Medak at Sangareddy, who is in-charge of that Court and the said Judge heard the matter and adjourned the

same from time to time without passing any orders on the said Interlocutory Application.

4. Keeping the Interlocutory Application pending without passing orders cannot be appreciated. Therefore, the learned Principal District Judge, Medak at Sangareddy, is directed to pass orders in I.A.No.227 of 2017 in O.S.No.166 of 2017, after giving opportunity to both parties, preferably within a period of 3 months from the date of receipt of a copy of this order.

5. With the above direction, the Civil Revision Petition is disposed of. There shall be no order as to costs.

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

13th March, 2020

YVL

T.AMARNATH GOUD, J

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Date:13.03.2020

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