

**THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER
AND
THE HON'BLE SRI JUSTICE NAGESH BHEEMAPAKA
CIVIL MISCELLANEOUS APPEAL No.623 OF 2017**

JUDGMENT: (Per Hon'ble Dr.SA,J)

This appeal, under Order XLIII Rule 1 C.P.C., is filed by the appellants/defendants aggrieved by the order and decree, dated 07.02.2014, passed in I.A.No.18 of 2013 in O.S.No.1431 of 2013 by the learned XIII Additional District Judge, Ranga Reddy District at L.B. Nagar, Hyderabad, whereby the Court below restrained the appellant Nos.13 and 14/defendant Nos.13 and 14 from changing the native of the subject property till the disposal of the Suit.

2. Heard. Perused the record.

3. Having made submissions for considerable time, learned counsel for the appellants/defendants made a request to this Court that since the subject Suit is of the year 2013 and trial has already been commenced, a direction to the Court below to dispose of the subject Suit expeditiously would suffice.

4. Since trial has already been commenced in the subject Suit, it is not appropriate for this Court to go into the merits of the case. Dwelling upon the merits of the case at this stage may have a bearing over the final determination of the subject Suit. Therefore, this Court is not inclined to do so.

5. In view of the submissions made by the learned counsel for the appellants/defendants, the learned XIII Additional District Judge, Ranga Reddy District at L.B. Nagar, Hyderabad, is directed to dispose of the subject Suit in O.S.No.1431 of 2013 pending on its file, in accordance with law, within a period of three (3) months from the date of receipt of a copy of this order.

6. With the above direction, the appeal is disposed of.

Miscellaneous Petitions, if any, pending in this appeal shall stand closed. There shall be no order as to costs.

Dr. SHAMEEM AKTHER, J

NAGESH BHEEMAPAKA, J

Date: 13.12.2022
MD