

HON'BLE SRI JUSTICE A. VENKATESHWARA REDDY

CIVIL REVISION PETITION No.1190 OF 2019

ORDER:

This civil revision petition is filed by the petitioner/defendant No.5 under Article 227 of the Constitution of India to direct the trial Court to dispose of I.A.No.711 of 2015 in O.S.No.264 of 1991 on the file of XII Additional Senior Civil Judge, City Civil Court, Secunderabad, within three months from the date of copy of the order.

2. I.A.No.711 of 2015 was filed by the 1st respondent/ plaintiff praying to appoint an Advocate Receiver. Accordingly, Mr. Katta Laxmi Prasad, advocate, is appointed as Receiver for rendition of the account in respect of the partnership firm in the name and style of M/s Khan Bhahadur Ahmed Alladin and Company and that application is pending for the last more than five years without there being any progress.

3. In the course of arguments, learned counsel for the respondents has submitted a copy of the orders dated 16.06.3021 passed in C.R.P.No.716 of 2021, wherein and whereunder this Court has directed to the Court below to

dispose of I.A.No.36 of 2017 in O.S.No.264 of 1991 as expeditiously as possible at any rate within a period of six months from the date of receipt of copy of the order, with a direction to both the parties to cooperate for expeditious disposal of the suit. The said I.A.No.36 of 2017 was filed in O.S.No.264 of 1991 and learned counsel seeks to submit that in spite of repeated requests, there is no progress. Accordingly, learned counsel requested for a direction to the Court below for expeditious disposal of I.A.No.711 of 2015.

4. I have given my thoughtful consideration to the entire material filed by the revision petitioner including the orders passed in C.R.P.No.716 of 2021 and the submissions made by learned counsel to the effect that despite specific directions of this Court, I.A.No.36 of 2017 is still pending in O.S.No.264 of 1991. Therefore, I find some justification in the request of the petitioner.

5. In the result, the civil revision petition is allowed and learned XII Additional Senior Civil Judge (Fast Track Court), City Civil Court, Secunderabad, is hereby directed to dispose of I.A.No.711 of 2015 in O.S.No.264 of 1991 pending on that file within a period of six months from the date of receipt of

copy of the order. It is made clear that even if any of the parties does not cooperate for expeditious disposal, the trial Court shall proceed with the enquiry and dispose of I.A.No.711 of 2015 within six months from the date of receipt of copy of the order. Further, both the parties to I.A.No.711 of 2015 shall cooperate for expeditious disposal, as directed above. There shall be no order as to costs. Miscellaneous Petitions, if any, pending in this civil revision petition shall stand closed.

A. VENKATESHWARA REDDY, J

Date:28.03.2022

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