

THE HON'BLE SRI JUSTICE MUMMINENI SUDHEER KUMAR
CIVIL REVISION PETITION No.2872 OF 2022

ORDER:

Heard learned counsel for the petitioner and learned counsel for the respondents.

2. This civil revision petition is filed aggrieved by the order, dated 03.11.2022, passed in I.A.No.16 of 2022 by the Additional Agent to the Government and Project Officer, I.T.D.A., Utnoor.

3. A perusal of the order under revision shows that the same is cryptic in nature and no reasons were assigned for passing such an order. Further, the petitioner herein is already on record before the Additional Agent to the Government and hence the question of passing an *ad interim* injunction does not arise and the learned Additional Agent to the Government and Project Officer, I.T.D.A., is under obligation to consider the rival claims and then pass a reasoned order.

4. Further, the order under revision came to be passed in an interlocutory application filed by the petitioner, who is the respondent in the said application, as a counter claim filed in Case No.A4/CPC/1466/2021. The said suit was filed by the petitioner herein. While keeping the interlocutory application

filed by the petitioner herein seeking temporary injunction, the order under revision came to be passed by considering the interlocutory application filed by the respondent herein in the counter claim and such an action on the part of the Additional Agent to the Government and Project Officer, I.T.D.A. Uttoor, is highly irregular. Hence, the impugned order under revision is totally unsustainable.

5. Hence, the impugned order under revision is set aside and the matter is remanded back to the Additional Agent to the Government and Project Officer, I.T.D.A., Uttoor, for considering the I.A.No.16 of 2022 and the injunction application filed by the petitioner herein on merits by duly affording an opportunity to both the parties and for passing a reasoned order thereon in accordance with law, within a period of four weeks from the date of receipt of a copy of this order..

6. The civil revision petition is accordingly allowed, as indicated above. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this writ petition shall stand closed.

MUMMINENI SUDHEER KUMAR, J

Date:20.01.2023

KH

THE HON'BLE SRI JUSTICE MUMMINENI SUDHEER KUMAR

CIVIL REVISION PETITION No.2872 OF 2022

Date:20.01.2023

KH