

THE HON'BLE SRI JUSTICE SAMBASIVA RAO NAIDU

CIVIL REVISION PETITION No.3120 OF 2022

ORDER:

Heard both parties.

2. Learned counsel for the petitioner has submitted that when the petitioner herein moved an application before the Court below for certified copy of order in I.A.No.1294 of 2022 vide C.A.No.6846 of 2022 and his another copy application vide C.A.No.6752 of 2022 were not complied, the petitioner herein was forced to approach this Court seeking stay of all the proceedings before the trial Court. Learned counsel has also submitted that unless the petitioner is able to get the copy of order, if it is against his interest, he cannot obtain better advice from the counsel and it may not be possible for him to move the appellate Court expressing his grievance.

3. On the other hand, learned counsel for the respondent has submitted that the Court below used to pass orders from the Bench itself. Therefore, there may not be a problem for the petition even in case of any delay in

complying the copy application. Counsel for the respondent further stated that there is a direction from the Hon'ble Supreme Court to the trial Court for expedite disposal of the suit and the trial Court was directed to submit the progress of the case. But, in view of the stay against all the proceedings, it may not be possible for the trial Court to proceed with the trial.

4. Counsel for the petitioner has stated that number of documents sought to be marked by the respondent herein were referred to Registrar for impounding. Therefore, unless those documents are received and unless the petitioner herein verify the documents with regard to appropriate stamp duty and penalty, there may not be a question of trial Court proceeding with the trial.

5. Learned counsel for the respondent has stated that already the documents along with report from the Registrar were received by the Court below.

6. As per the grounds on which the present revision is filed, it is very clear that main grievance of the petitioner is

the trial Court did not furnish the copy of the order passed by the Court in spite of his filing copy application.

7. As per the copy of the order filed by the learned counsel for the respondent, it is clear that the Hon'ble Supreme Court gave direction to the trial Court for expedite disposal of the batch of original suits by directing the trial Judge to submit the progress report periodically.

8. In view of the grievance expressed by the counsel, it is just and necessary to give a direction to the Court below for compliance of copy application immediately so that the party will be in position to know as to what was held by the Court on his application or on the petition filed by the other party. With these observations, this Civil Revision Petition can be disposed of.

9. **In the result**, this Civil Revision Petition is disposed of by directing the Court below to attend and comply all the copy applications filed by the petitioner/defendant immediately on priority basis. However, no order as to costs.

As a sequel, pending Miscellaneous Applications, if any, shall stand closed.

JUSTICE SAMBASIVA RAO NAIDU

Date: 27.01.2023
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