

HON'BLE SRI JUSTICE K. SREENIVASA REDDY

Civil Revision Petition No.617 of 2023

Order:

This Civil Revision Petition has been filed against the docket order dated 17.08.2020 passed in IA No.77 of 2020 in OS No.27 of 2020 by the learned Junior Civil Judge, Kotturu, Srikakulam district.

2. The respondents herein filed the suit in OS No.27 of 2020 on the file of the learned Junior Civil Judge, Kotturu, Srikakulam district for declaration of title and for recovery of possession. Along with the said suit, the respondents herein filed IA No.77 of 2020 for grant of *ex parte* ad-interim injunction restraining the petitioners herein from cutting and selling the standing trees on the suit scheduled property or create any encumbrances or third party interests over the same. The learned Junior Civil Judge, by an order dated 17.08.2020, granted *ex parte* temporary injunction by restraining the petitioners herein from cutting and selling the standing trees on the suit schedule property till filing of counter subject to compliance of Order XXXIX Rule 3A CPC.

3. Now, the petitioners herein, who are the defendants in the said suit, filed the present CRP stating that pursuant to grant of said *ex parte* interim injunction order, they received notices and filed their counter in IA No.77 of 2020 on 25.08.2020 itself and, in spite of the

same the said IA has not been disposed of till date. Hence, he prays to direct the learned Junior Civil Judge for speedy disposal of the said IA.

4. Heard. Perused the record.

5. On a perusal of the material on record goes to show that though the petitioners herein filed their counter in the year 2020 itself i.e. about 3 ½ years back, it is surprising to note that till date the said IA has not been disposed of, by the trial Court.

6. In view of the aforesaid facts and circumstances, without going into the merits of the case, the learned Junior Civil Judge, Kotturu, Sriakulam district, is directed to dispose of IA No.77 of 2020 in OS No.27 of 2020 in accordance with law, as expeditiously as possible, preferably within a period of four (4) weeks from the date of receipt of a copy of this order.

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

As a sequel thereto, the miscellaneous applications, if any, pending in this Civil Revision Petition shall stand closed.

K. SREENIVASA REDDY, J

Date:31.01.2024
Nsr

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