

**HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY**

CRIMINAL PETITION NO.4617 of 2009

**ORDER:**

This revision petition is directed against the order dated 08/09/2009 passed in I.A.No.486 of 2009 in C.M.A.No.9 of 2009 on the file of the Court of Senior Civil Judge, Addanki.

The petitioner is the defendant in O.S.No.191 of 2009. The respondent herein is the plaintiff. He filed I.A.No.933 of 2009 in O.S.No.191 of 2009 seeking for interim injunction. The trial Court initially granted *ad interim* injunction. The defendant entered appearance and filed counter. Thereupon, the trial Court proceeded to vacate the *ex parte* interim order. The plaintiff filed C.M.A.No.9 of 2009 assailing the vacation order passed in I.A.No.933 of 2009 in O.S.No.191 of 2009. The appellate Court granted suspension of the vacation of the interim order passed in I.A.No.933 of 2009 in O.S.No.191 of 2009. Hence, this revision petition.

Heard the learned counsel appearing for the petitioner and perused the material brought on record.

Learned counsel for the petitioner submits that the trial Court vacated the *ex parte* interim injunction by well reasoned order and the said order ought not to have been suspended by the appellate Court without assigning any valid reasons.

Without going into the merits of the case, I direct the petitioner herein to move an application before the Senior Civil

Judge, Addanki, seeking vacation of the *ex parte* interim order dated 08/09/2009 passed in I.A.No.486 of 2009 in C.M.A.No.9 of 2009. In the event of the petitioner moving an application seeking vacation of the interim order dated 08/09/2009 in I.A.No.486 of 2009, the Appellate Court has to dispose of the same as expeditiously as possible, preferably, within a period of 15 days after moving the application.

Subject to above, the Civil Revision Petition is disposed of.  
In the circumstances, no order as to costs.

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B.SESHASAYANA

REDDY, J  
30<sup>th</sup> September, 2009  
SKM