

**HON'BLE SRI JUSTICE R. SUBHASH REDDY  
AND  
HON'BLE SRI JUSTICE A.SHANKAR NARAYANA**

**CIVIL MISCELLANEOUS APPEAL No.344 of 2015**

**JUDGMENT** : (Per Justice R. Subhash Reddy)

This civil miscellaneous appeal is filed by defendant No.7 in the suit in O.S.No.319 of 2015, aggrieved by order dated 01.05.2015, passed in I.A.No.772 of 2015, by the II-Additional District Judge, Visakhapatnam.

In the suit filed by the 1<sup>st</sup> respondent-plaintiff, she filed application in I.A.No.772 of 2015 under Order 39 Rules 1 and 2 to grant injunction restraining the respondents from alienating or creating any interest in the suit schedule property pending disposal of the suit. By *ad interim* order dated 01.05.2015, while posting the matter to 01.06.2015, the trial Court directed to maintain *status quo*. When this appeal is filed, this Court by order dated 14.05.2015, granted interim suspension of the impugned order.

When the matter is taken up for hearing, it is submitted by the learned counsel for appellant that counter affidavit is already filed in I.A.No.772 of 2015. As the very impugned order is restricted upto 01.06.2015 and said order is already suspended by this Court, we deem it appropriate to dispose of the C.M.A. with a direction to the learned II-Additional District Judge, Visakhapatnam, to dispose of I.A.No.772 of 2015 if not already disposed of,

as expeditiously as possible, preferably within a period of two months from the date of receipt of this order. The interim order of this Court granted on 14.05.2015, shall continue till the disposal of I.A.No.772 of 2015. The trial Court shall dispose of the said I.A. on its own merits, uninfluenced by any of the observations made in this order. It is needless to observe that if any other connected applications are pending, the same shall also be disposed of alongwith I.A.No.772 of 2015.

Subject to the above observations, the appeal is disposed of. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

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**R. SUBHASH REDDY, J**

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**A.SHANKAR  
NARAYANA, J**

20<sup>th</sup> July 2015

ajr