

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

C.M.A.No.709 of 2016

ORDER:

This Civil Miscellaneous Appeal is filed under the provisions of Order 43 Rule 1 of CPC by the Defendants in O.S.No.305 of 2016 against ad-interim injunction order dated 31.5.2016 passed by the Vacation Civil Judge-cum-III Additional Chief Judge, City Civil Court, Hyderabad.

2. The respondents herein instituted O.S.No.305 of 2016 on the file of the Court of the III Additional Chief Judge, City Civil Court, Hyderabad and the learned Judge granted ex-parte temporary injunction restraining the defendants from enforcing the cheques.

3. According to the learned counsel for the appellants/defendants, though the defendants filed counter in the I.A. as long back as on 13.6.2016, so also written statement in the main suit and also petitions for advancement of injunction petition, the I.A. has not been disposed of so far. It is further submission of the learned counsel for the appellants that as per Rule 3A of Order 39 of CPC, it is incumbent on the part of the Court below to dispose of the injunction application within 30 days from the date on which the injunction was granted.

4. Having regard to the nature of controversy and keeping in view the submissions of the learned counsel for the appellants, this Civil Miscellaneous Appeal is disposed of, directing the Court of III Additional Chief Judge, City Civil Court, Hyderabad to dispose of I.A.No.774 of 2016 in accordance with law, after hearing all the stakeholders as expeditiously as possible as per Rule 3A of Order 39 of CPC. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

Date: 16.9.2016
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