

THE HON'BLE SRI JUSTICE BATTU DEVANAND

CIVIL REVISION PETITION No.3518 of 2025

ORDER:

1. This Civil Revision Petition is filed seeking direction to the learned IX Additional District-cum-Family Court Judge, for early disposal of I.A.No.1542 of 2025 in A.S.No.110 of 2025.
2. The petitioners are the defendants in the suit in O.S.No.173 of 2006 on the file of the learned Principal Civil Judge (Senior Division), Rajamahendravaram, seeking declaration and recovery of possession. By its judgment, dated 04.09.2025, the suit was decreed. Aggrieved by the same, the petitioners preferred an appeal in A.S.No.110 of 2025 on the file of the learned Principal District and Sessions Judge, Rajamahendravaram. Along with the said appeal, they have filed an interlocutory application in I.A.No.1542 of 2025 seeking stay of execution of decree, dated 04.09.2025.
3. The learned counsel for the petitioners submit that the learned Principal District and Sessions Judge, Rajamahendravaram, without passing any orders in the said stay application, passed an order, dated 01.12.2025, transferring the appeal to the court of the learned IX Additional District-cum-Family Court Judge, Rajamahendravaram.

4. The present Revision is filed seeking appropriate direction to the learned IX Additional District and Family Court Judge, Rajamahendravaram, to consider and dispose of the stay application in I.A.No.1542 of 2025 in A.S.No.110 of 2025, as expeditiously as possible, taking into consideration of all the facts and circumstances of the case and in the interest of justice. Learned counsel for the petitioners further contended that the Appellate Court, while transferring the appeal, time is granted to deliver the suit schedule property till 05.01.2026. As such, appropriate orders are required to pass in I.A.No.1542 of 2025 in A.S.No.110 of 2025 to protect the interest of the petitioners.

5. Heard the learned counsel for the petitioners.

6. On perusal of the order, dated 01.12.2025, passed by the learned Principal District and Sessions Judge, Rajamahendravaram, it appears that the learned counsel appearing for both sides before the court below, conceded to transfer the appeal in A.S.No.110 of 2025 to any other District Court. Accordingly, it is transferred to the IX Additional District and Family Court Judge, Rajamahendravaram, to proceed and dispose of, in accordance with law.

7. However, considering the facts and circumstances of the case and the urgency expressed by the learned counsel for the

petitioners, in our considered view, it is appropriate and desirable to pass the following order:

(a) The learned IX Additional District –cum- Family Court Judge, Rajamahendravaram, shall dispose of the stay application in I.A.No.1542 of 2025 in A.S.No.110 of 2025, as expeditiously as possible, strictly in accordance with law, by giving reasonable opportunity to both the parties.

(b) As the appeal is transferred to the IX Additional District-cum-Family Court Judge, Rajamahendravaram to dispose the stay application in I.A.No.1542 of 2025 in A.S.No.110 of 2025, admittedly, the court concerned will require some time to follow the procedure. In the interest of justice, until appropriate orders are passed on the stay application, *Status quo* shall be maintained.

8. Accordingly, the Civil Revision Petition is disposed of. No order as to costs.

Consequently, Miscellaneous Petitions, if any, pending in the Civil Revision Petition shall stand closed.

JUSTICE BATTU DEVANAND

Date: 05.12.2025
PKR

THE HON'BLE SRI JUSTICE BATTU DEVANAND

CIVIL REVISION PETITION No.3518 of 2025

Date: 05.12.2025
PKR