

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

CRP.No.1592 of 2015

Between:

Mohd. Afzal, S/o Mohd. Abbas
and another.

..... Petitioners

And:

Ms Ginjaipalli Padmaja,
W/o G.Venu

.....Respondent

Counsel for the petitioners: Sri Mohammed Gayasuddin
For Sri M.T.Ghori

Counsel for the Respondent: ----

The Court made the following:

ORDER:

This Civil Revision Petition arises out of docket order, dated 16.02.2015, in I.A.No.1520 of 2010 in O.S.No.708 of 2005 on the file of the VII Additional Senior Civil Judge, Ranga Reddy District at LB Nagar, Hyderabad.

The respondent filed the above-mentioned suit for permanent injunction against the petitioners. The suit was decreed *ex parte* on 17.09.2009. The petitioners have filed I.A.No.1520 of 2010 under Order IX Rule 13 C.P.C. for setting aside the *ex parte* decree. By docket order, dated 16.02.2015, the lower Court has allowed the

said application, subject to the petitioners depositing the suit costs and filing the written statements by the next date of hearing. Though the order of the lower Court is a non-speaking order and not happily worded, considering the fact that the request of the petitioners for setting aside the *ex parte* decree was acceded to and a relief was granted in their favour *albeit* on condition of payment of suit costs, I do not find any reason to interfere with such an order, which, in my opinion, ought to have made the respondent feel aggrieved rather than the petitioners. Hence, the Civil Revision Petition is dismissed.

As a sequel to dismissal of the Civil Revision Petition, CRP.MP.No.2145 of 2015 filed by the petitioners for interim relief is dismissed as infructuous.

JUSTICE C.V.NAGARJUNA REDDY

24th April, 2015

DR