

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

Civil Revision Petition No.547 of 2015

Dated 20th February, 2015

Between:

Sri Vivek Singh

...Petitioner

And

The Welfare Association of Raintree Park

...Respondent

Counsel for the petitioner: Mrs.K.Pallavi

for Sri M.Vamsheedhar Reddy

Counsel for the respondent: Sri A.Satya Prasad

for Sri Prakash Buddarapu

The Court made the following:

ORDER:

This civil revision petition arises out of order, dated 08.01.2015, in I.A.No.13 of 2015 in O.P.No.277 of 2013, on the file of the learned I Additional District & Sessions Judge, Ranga Reddy District at L.B.Nagar.

The petitioner has filed the above-mentioned OP for multiple reliefs, a reading from which it is discernable that he is questioning the authority of the respondent to have control over the apartment in which he is residing. It appears, for non-payment of arrears of maintenance charges, the respondent has disconnected the petitioner's water connection. He has, therefore, filed I.A.No.13 of 2015 for a direction to the respondent to maintain *status quo* as on the date of filing of the OP by restoring the water connection. The lower Court by its order referred to above directed restoration of water supply to the petitioner's plot subject to his depositing arrears of rent of Rs.1,06,814/- on or

before 19.01.2015. Feeling aggrieved by this order, the petitioner has filed this civil revision petition.

At the hearing, the learned counsel for the petitioner has strenuously contended that the respondent has not furnished the details of the alleged arrears and that it has no power or authority to disconnect the water connection for non-payment of the alleged arrears.

The issues such as the authority of the respondent to exercise control over the premises need to be discussed and adjudicated in the main OP itself. From the material on record, it appears that the respondent has issued demand notice, dated 08.09.2014, for a sum of Rs.82,164/- towards pending maintenance charges. It is stated therein that if the petitioner fails to make payment, the services such as water, electricity, lifts, security and house keeping will be withdrawn.

As the OP itself is pending, the lower Court without discussing on the tenability or otherwise of the demand has granted a conditional order in favour of the petitioner. Therefore, I am not inclined to interfere with the discretion exercised by the lower Court. However, it is made clear that the deposit of the amount by the petitioner shall be subject to the result of the OP. As the time stipulated for payment of the amount has expired, the same is extended by one week from today to enable the petitioner to comply with the condition imposed by the lower Court.

Subject to the above observations, the civil revision petition is dismissed.

As a sequel to dismissal of the civil revision petition, C.R.P.M.P.No.705 of 2015 shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

20th February, 2015
VGB