

HON'BLE SRI JUSTICE R. SUBHASH REDDY

Civil Revision Petition No.181 of 2015

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Order:

This Civil Revision Petition is filed under Article 227 of the Constitution of India aggrieved by the docket order dated 20.01.2015 passed in I.A.No.1505 of 2014 in A.S.No.52 of 2014 by the learned XI Additional District Judge, Krishna.

The suit filed by the 1st respondent for eviction and recovery of arrears of rent on the file of the Junior Civil Judge, Gudivada in O.S.No.28 of 2011 is decreed by judgment and decree dated 17.11.2014. As against the same, petitioner-defendant filed appeal before the XI Additional District Judge, Krishna. By order dated 31.12.2014 in I.A.No.1505 of 2014, interim stay of the proceedings was granted on condition of the petitioner depositing Rs.4,00,000/- by 20.01.2015 by imposing default clause.

It is submitted by the learned counsel for the petitioner that petitioner obtained demand draft in favour of the trial court, but the same was returned on the ground that the appellate court has not permitted to deposit the same before the trial court; when the XI Additional District Judge, Krishna, passed the impugned order to deposit the sum of Rs.4,00,000/-, before it by 29.01.2015, this Civil Revision Petition is filed.

The only submission made by the learned counsel for the petitioner is that as much as the petitioner is representing a Public Limited Company, i.e. Bharath Petroleum Corporation Ltd., he can purchase fresh demand draft and deposit the same, but he cannot deposit amount directly, as ordered by the appellate court.

In the circumstances, I dispose of the Civil Revision Petition permitting the petitioner to obtain demand draft for the sum of Rs.4,00,000/- and deposit the same to the credit of A.S.No.52 of 2014 on the file of the XI Additional District Judge, Krishna. On such deposit, it is open to the XI Additional District Judge, Krishna, to pass appropriate orders permitting the 1st respondent-decree holder to withdraw the same. No order as to costs.

As a sequel, miscellaneous petitions if any pending in the C.R.P., stand closed.

R.SUBHASH REDDY, J

January 27, 2015

MRR