

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

Rev.C.R.P.M.P.No.1986 OF 2015

IN

C.R.P.No.3091 OF 2014

ORDER:

It is represented by the learned counsel for the petitioner that in the order dated 13.03.2015 it was recorded that the sale in favour of the 2nd respondent was confirmed and he took possession of the property based on the submissions made by the learned counsel for the 2nd respondent.

Learned counsel for the petitioner submits that in fact, no sale certificate was issued in favour of the 2nd respondent and the 2nd respondent did not take possession of the property. He also submits that he is ready to deposit the sale amount and in view of the confirmation of the docket order passed by the trial Court he is not in a position to take appropriate steps in the lower Court.

In view of the non issuance of sale certificate in favour of the 2nd respondent and the petitioner continuing in possession of the property as a consequence thereof, liberty is given to the petitioner to file an appropriate application before the trial Court.

The order in C.R.P is modified by setting aside the docket order dated 10.06.2014 on payment of costs of Rs.1,000/- to the decree holder within a period of one week from today and the lower Court is directed to consider the application i.e. E.A.No.40 of 2013 in E.P.No.88 of 2009 in accordance with law provided that the JDr/petitioner herein deposits the amount of Rs.78,713/- by the date of next hearing before the trial Court.

Accordingly, CRPMP is disposed of. Office is directed to issue the revised order in CRP by 28.04.2015.

A.RAMALINGESWARA RAO, J

24.04.2015

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THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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