

**THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN**

-

**Civil Revision Petition No.2891 of 2015**

**ORDER:**

The petitioner herein is in occupation of a flat in Visakhapatnam. The respondent filed R.C.C. No.45 of 2013 before the Rent Controller, Visakhapatnam, wherein he filed I.A.No.49 of 2014 seeking a direction to the petitioner herein to pay the arrears of rent with costs. The said I.A. was dismissed by order dated 08.07.2014. Aggrieved thereby, the respondent herein filed R.C.A. No.28 of 2014 which is said to be still pending. While matters stood thus, R.C.C.No.45 of 2013 itself came to be dismissed by order dated 06.05.2015. Aggrieved thereby the petitioner herein filed R.C.A.No.28 of 2015. He filed I.A.No.488 of 2015 under Section 20(2) of the Andhra Pradesh (Lease, Rent and Eviction) Control Act, 1960 (the 'Act' for short) seeking stay of execution of the order passed by the Rent Controller in R.C.C.No.45 of 2013 dated 06.05.2015.

By the order under revision, the Court below allowed the petition on condition that the petitioner deposits the arrears of rent at the rate of Rs.2,700/- per month, from January, 2010 till date, on or before 10.08.2015; and continues to deposit the monthly rent, at the same rate of Rs.2,700/- per month, before the Rent Controller on or before the 10<sup>th</sup> of every succeeding month by issuing notice to the respondent-landlord. The Appellate Court observed that, in case the petitioner failed to comply with the condition of deposit of rent, the stay granted would stand automatically vacated; and the respondent was not entitled to withdraw the said amount. Instead of complying with the said order of the Appellate Court, the petitioner herein has invoked the jurisdiction of this Court under Section 22 of the Act.

By its order dated 24.07.2015, this Court granted interim stay for a period of four weeks, on condition that the petitioner deposits the entire arrears of rent till date, to the credit of the Appeal, within a period of three weeks from the date of the order. The three week period, stipulated by this Court, expired on 14.08.2015, before which the petitioner deposited the entire arrears of rent on 30.07.2015 itself. The order of the Appellate Court required the petitioner to deposit the entire arrears of rent on or before 10.08.2015. As the petitioner herein has since complied with the order

passed by the Court below, and has paid the entire arrears of rent, no further orders need be passed in this revision. Suffice it to observe that the interim order granted by the Court below shall remain in force on condition that the petitioner deposits rent for August and September, 2015 by 15<sup>th</sup> October, 2015; and continues to pay the monthly rent on or before the 10<sup>th</sup> of every succeeding month.

The Civil Revision Petition is, accordingly, disposed of. The Miscellaneous Petitions, if any pending, shall also stand disposed of. No costs.

---

**(RAMESH RANGANATHAN, J)**

Date:01.10.2015.

CS

-