

THE HON'BLE SRI JUSTICE R. SUBHASH REDDY

CIVIL REVISION PETITION No.2035 OF 2010

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ORDER:

This Civil Revision Petition, under Section 115 of the Code of Civil Procedure, 1908, is filed by defendant Nos.3 and 4 in O.S.No.925 of 2004 aggrieved by the order, dated 08.04.2010, passed in I.A.No.636 of 2008 in the said Suit by the learned Principal Senior Civil Judge, Vijayawada.

The aforesaid Suit was filed by the respondent – plaintiff for recovery of money and the same was decreed *ex parte* against the petitioners. To set aside the *ex parte* decree, I.A.No.637 of 2008 was filed and to stay execution of the decree, pending the application filed under Order IX Rule 13 C.P.C., I.A.No.636 of 2008 was filed by the petitioners. The Court below, by impugned order, dated 08.04.2010, dismissed I.A.No.636 of 2008.

Though this revision petition was filed in the year 2010, when the matter was listed for hearing on 06.05.2010 and 12.05.2010, there was no representation for the petitioners.

As the application to set aside the *ex parte* decree was filed in the year 2008, the same might have been

disposed of by this time. In that view of the matter, in view of the reasons stated in the impugned order and in the absence of any interim order in favour of the petitioners, I do not find any merit in this revision petition, so as to interfere with the impugned order passed by the Court below at this stage.

Accordingly, the revision petition is dismissed. Miscellaneous Petitions, if any, pending in this revision petition shall stand closed. No costs.

R.SUBHASH

REDDY, J

27th January, 2015

MD