

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

CRP.No.3232 of 2014

ORDER :

Heard Sri P. Sreemannarayana, counsel for petitioner and Sri Dasari S.V.V.S.V. Prasad, counsel for 1st respondent.

2. This Revision is filed under Section 115 C.P.C. challenging the order dt.01.05.2014 in E.A.No.270 of 2009 in E.P.No.12 of 2009 in O.S.No.18 of 1991, (for short, 'the impugned order').

3. The said application was filed under Order 21 Rule 97 C.P.C., but the same had been dismissed by the impugned order. Therefore, the said order is to be deemed as an order under Order 21 Rule 98 C.P.C. and is appealable as a decree under Rule 103 of Order 21.

4. In this view of the matter, I am of the opinion that the Revision filed by petitioner is not maintainable, and the petitioner needs to challenge the impugned order by way of an appeal before the District Court, Narsapur.

5. Therefore, granting liberty to petitioner to avail the remedy of appeal before the appropriate Forum, this Civil Revision Petition is dismissed. No order as to costs. The Registry shall hand-over the certified copy of the impugned order to the counsel for petitioner immediately.

6. As a sequel, miscellaneous petitions pending, if any, in this Revision shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 13.08.2015

Ndr/*

Note :

Issue C.C. to-day.

B/o.

Ndr/*