

HON'BLE SRI JUSTICE R.SUBHASH REDDY
AND
HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

CIVIL REVISION PETITION No.2353 of 2015

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ORDER : (per Hon'ble Sri Justice R.Subhash Reddy)

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed by the petitioner/respondent No.1 seeking a direction for disposal of E.P.No.58 of 2010 in A.O.P.No.1195 of 2003 pending on the file of the Family Court-cum-Additional District Judge, Khammam.

2. The petitioner/1st respondent has obtained an Award dated 21.6.2003 from the Arbitrator and filed a petition in A.O.P.No.1195 of 2003 before the Family Court-cum-Additional District Judge, Khammam, to make such Award as rule of the Court, under the provisions of the Arbitration and Conciliation Act, 1940. When the said A.O.P. was pending, she has filed I.A.No.851 of 2009 to reject the said A.O.P. filed by her, and the same is allowed by order dated 15.7.2009. Consequently, A.O.P.No.1195 of 2003 stands dismissed. It appears that inspite of the fact that I.A.No.851 of 2009 was allowed, resulting in dismissal of A.O.P.No.1195 of 2003, respondent No.1 herein filed E.P.No.58 of 2010 for division of E.P. Schedule property in accordance with the Award and to allot 10 paisa share to her by way of appointing an Advocate-Commissioner. Seeking early disposal of E.P.No.58 of 2010, the petitioner has filed the present civil revision petition.

3. In this revision, it is contended by the learned counsel for the petitioner/respondent No.1 that though the petitioner has filed objections by way of E.A.No.6 of 2014, no orders are passed in

E.P.No.58 of 2010 for the last five years.

4. Heard learned counsel for the petitioner/respondent No.1 and perused the material on record.

5. It is not known, when there is no executable decree, how E.P.No.58 of 2010 was numbered. Further, having numbered E.P.No.58 of 2010, there is no reason in keeping the same pending for such a long time.

6. Therefore, without going into the merits of the case, we deem it appropriate to dispose of the civil revision petition directing the learned Family Court-cum-Additional District Judge, Khammam, to dispose of E.P.No.58 of 2010, after considering the objections filed by the petitioner/respondent No.1 in E.A.No.6 of 2014 by passing appropriate orders in accordance with law, within a period of two months from the date of receipt of a copy of this order.

7. Subject to the above direction, this civil revision petition is disposed of. As a sequel, miscellaneous petitions pending, if any, in this revision shall stand closed. No order as to costs.

JUSTICE R. SUBHASH REDDY

JUSTICE A.SHANKAR NARAYANA

25.06.2015.

Msr

HON'BLE SRI JUSTICE R.SUBHASH REDDY

AND

HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

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