

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

Civil Revision Petition No.3365 of 2015

Dated 21st August, 2015

Between:

Koppula Jhansi Lakshmi Bhai

...Petitioner

and

Konuri Ranganayakulu and others

...Respondents

Counsel for the petitioner: Smt.Marella Radha

Counsel for the respondents: ----

The Court made the following:

ORDER:

This civil revision petition is filed against order, dated 06.07.2015, in CFR.No.5299 of 2015 in unnumbered EA in E.P.No.23 of 2013 in O.S.No.494 of 2011, on the filed of the learned IV Additional Senior Civil Judge, Guntur.

I have heard Smt.Marella Radha, learned counsel for the petitioner, and perused the record.

The petitioner is a third party to the above-mentioned EP and has filed an application under Order XXI Rules 99 & 101 and Section 47 CPC for declaring her rights over the property which was sold in auction on 03.07.2014. This application was dismissed by the lower Court on the ground that the petitioner was called absent. Feeling aggrieved by this order, the petitioner has filed this writ petition.

In my opinion, the petitioner ought to have approached the lower Court by filing an application for restoration of her application filed under Order XXI Rules 99 & 101 and Section 47 CPC. Instead of availing such remedy, the petitioner has needlessly filed this civil revision petition.

On this short ground, the civil revision petition is dismissed,

however, with liberty to the petitioner to avail the remedy as indicated hereinbefore.

As a sequel to dismissal of the civil revision petition, CRP.M.P.No.4511 of 2015 shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

21st August, 2015
VGB