

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

CRP.No.241 of 2011

ORDER :

This Revision is filed challenging the order dt.06.04.2010 in E.P.No.9 of 2009 in O.S.No.70 of 2007 on the file of Principal Junior Civil Judge, Bapatla.

2. The petitioner herein is the judgment-debtor in the above suit.

3. The said suit has been decreed by 1st Additional Junior Civil Judge, Guntur in 2009 and the respondent was held entitled to realize from petitioner a sum of Rs.38,666/- with subsequent interest thereon.

4. Thereafter, the execution petition was filed by respondent to execute the said decree by selling the E.P. Schedule property for realising the decretal amount.

5. Counter-affidavit was filed by petitioner contending that the E.P. should be dismissed because the E.P. Schedule land is an assigned land.

6. But during evidence in the E.P., the petitioner/judgment-debtor himself stated that he purchased an extent of Ac.0.85 cents in Sy.No.394 of G.G.Palem Village, Pedanandipadu Mandal under a registered document. In view of this admission, the Court below held that the E.P. Schedule land is not covered by

the provisions of the Andhra Pradesh Assigned Lands (Prohibition and Transfers) Act, 1977 and therefore dismissed the E.P.

7. Challenging the same, this Revision is filed.

8. Heard the counsel for petitioner, Sri N. Subba Rao; and the counsel for respondent, Sri M.V. Durga Prasad.

9. The counsel for petitioner does not dispute the fact that petitioner had admitted that the land in question was purchased under a registered document. He however seeks time to pay the balance decretal amount pointing out that this Court had granted stay on 04.02.2011 on condition that petitioner shall deposit half of the decretal amount and costs within four (04) weeks from that date and the said order has been complied with.

10. The counsel for respondent is agreeable to grant one (01) month time to petitioner to pay the balance decretal amount.

11. In this view of the matter, the Civil Revision Petition is disposed of granting the petitioner one (01) month time from the date of receipt of a copy of this order to pay the balance decretal amount along with subsequent interest. If the said amount is not paid within the time stipulated, the Civil Revision Petition shall stand dismissed.

12. As a sequel, miscellaneous petitions pending, if

any, in this Revision shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 29-06-2015

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