

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

CRP.No.975 of 2014

Between:

Nampally Nagarjuna Chary

... Petitioner (s)

and

Mohd.Ibrahim @ Nawab and three others.

... Respondent(s)

DATE OF JUDGMENT PRONOUNCED: ***07th August, 2015.***

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

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|---|---|--------|
| 1 | Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| 2 | Whether the copies of judgment may be
marked to Law Reports/Journals | Yes/No |
| 3 | Whether Their Ladyship/Lordship wish to
see the fair copy of the Judgment? | Yes/No |

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THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

CRP.No.975 of 2014

ORDER :

This Civil Revision Petition is filed challenging the order dt.06.09.2013 in I.A.No.2111 of 2012 in O.S.No.4 of 2011 of the Principal District Judge, Karimnagar refusing to condone the delay of 569 days in filing the petition under Order IX Rule 13 CPC to set aside the ex parte decree dt.29.04.2011 passed therein.

2. Heard Sri V.Ravi Kiran Rao, Counsel for the petitioner and Sri Venkateswara Varanasi, Counsel for the 1st respondent.

3. Both the counsel state that pending the Revision, the parties have compromised the matter and if the order dt.06.09.2013 passed by the Court below in I.A.No.2111 of 2012 in O.S.No.4 of 2012 is not set aside, grave and irreparable loss would be caused to the parties.

4. Although it is true that proper reason was not shown by the petitioner for seeking condonation of delay of 569 days in seeking to set aside the ex parte decree dt.29.04.2011 passed in O.S.No.4 of 2011, but in view of the subsequent event of the parties compromising the matter, it is desirable that the said delay is condoned.

5. In this view of the matter, the Civil Revision Petition is allowed; order dt.06.09.2013 in I.A.No.2111 of 2012 in O.S.No.4 of 2011 of the Principal District Judge, Karimnagar is set aside; and the said I.A. is allowed. There shall be no order as to costs.

6. Consequently, Miscellaneous Petitions pending if any in all three Revisions shall stand closed.

M.S.RAMACHANDRA RAO, J

07th August, 2015

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