

HON'BLE SRI JUSTICE R. SUBHASH REDDY

CIVIL REVISION PETITION No.5024 of 2015

ORDER :

This civil revision petition is filed under Section 115 of C.P.C., by the judgment debtors in the suit in O.S.No.133 of 2003 on the file of XXV-Additional Chief Judge, City Civil Court, Hyderabad, aggrieved by order, dated 12.11.2015, passed in E.P.No.51 of 2014.

Heard Sri A.Pulla Reddy, learned counsel for petitioner/judgment-debtors and Sri V.Ravi Kumar, learned counsel for respondent-decree holders.

By impugned order, the executing Court has allowed E.P.No.51 of 2014 filed by the respondent-decree holders and ordered delivery of vacant possession of E.P. Schedule property in favour of respondent No.6 herein.

In this revision petition, it is contended by Sri A.Pulla Reddy, learned counsel for petitioners that respondent No.6 is a subsequent purchaser from the decree holders, and there is a recital in the sale deed that the G.P.A. holder of respondent No.1 has already delivered vacant and peaceful possession of schedule property to the 6th respondent.

In this case, it is to be noticed that respondent No.6 has come on record by getting himself impleaded and such order allowing his impleadment, has become final. In any event, as there is a decree for eviction suffered by the petitioners herein, even if it is assumed that there is such a clause in the sale deed with regard to delivery of possession, that will not come in the way of enforcing the decree of eviction against the petitioners.

For the aforesaid reasons and in view of the reasons assigned in the impugned order, this Court does not find any merit in this revision so as to interfere with the same. The revision petition is

accordingly dismissed.

However, four months time is granted to the petitioners to vacate the premises subject to filing an undertaking before the Registry of this Court within a period of two weeks from today, undertaking to vacate the premises before expiry of four months from today, by serving a copy on other side. The petitioners shall pay rents regularly on or before 10th of every month.

Pending miscellaneous applications, if any, shall stand closed.
No costs.

R. SUBHASH REDDY, J

21st December 2015

ajr