

C.M.P.Nos.10086 and 14290 of 2016**in CRP(NPD)No.1934 of 2016****M.DURAISWAMY, J.**

Challenging the Judgment and decree dated 17.03.2015 passed in C.M.A. No.54 of 2012 on the file of III Additional District and Sessions Court, Salem, the first respondent in the appeal has filed the above Civil Revision Petition.

2. When the above Civil Revision Petition was listed for admission on 28.06.2016, this Court admitted the Civil Revision Petition and granted an order of interim stay on 28.06.2016. The respondents 1 and 2 in the above Civil Revision Petition filed the above vacate stay petition in C.M.P. No.14290 of 2016, wherein they have stated that they filed a Caveat petition on 20.04.2016 in Caveat Petition No.1765 of 2016 and the same was in force till 19.07.2016 and that the petitioner, without serving notice on the counsel for the caveator, had obtained an order of interim stay on 28.06.2016, when the Caveat petition was in force. Since the interim order was obtained by the petitioner without serving the notice on the counsel for caveator when the caveat was in force, the interim stay granted on 28.06.2016 is liable to be vacated, solely on this ground.

M.DURAI SWAMY, J

vsi2/rg

3. Accordingly, the interim stay granted on 28.06.2016 stands vacated. The vacate stay petition is allowed and the petition for interim stay is dismissed.

15.09.2016

vsi2/rg

C.M.P.Nos.10086 and 14290 of 2016 in

CRP (NPD)No.1934 of 2016