

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

CIVIL REVISION PETITION No.2905 of 2015

ORDER:

The petitioner herein is the Judgment Debtor in E.P.No.4/2008 in O.S. No.7/2006 on the file of the learned Senior Civil Judge, Nagarkurnool. The respondents-decree holders filed the said suit for execution of decree for recovery of money of Rs.1,57,850/-, pursuant to judgment and decree in O.S.No.7/2006. In E.P. No.4/2008, no counter was filed and the Court imposed costs of Rs.100/- on 25.09.2014 and adjourned the matter to 16.10.2014. On 16.10.2014 also when the petitioner failed to file counter, her right to file counter was forfeited. For setting aside the said order, E.A. No.62/2014 was filed by the petitioner herein before the learned Senior Civil Judge, Nagarkurnool. When the said application was dismissed on 04.06.2015, the present Civil Revision Petition was filed.

The present Civil Revision Petition arises out of the order dismissing the application for setting aside the *ex parte* order dated 16.10.2014. The present application was filed on 31.12.2014. Though the petitioner was negligent in not filing the counter even after giving an opportunity on 25.09.2014, in order to give one more opportunity as a final chance, the impugned order dated 04.06.2015 is set aside and E.A.No.62/2014 is allowed. The petitioner is given time of thirty (30) days for filing counter to E.P. No.4/2008 and the learned Senior Civil Judge, Nagarkurnool, shall dispose of the said E.P. as expeditiously as possible, but not later than 31.03.2016.

Accordingly, this Civil Revision Petition is allowed. No order as to costs.

Miscellaneous Petitions, if any, pending in this Civil Revision Petition shall stand closed.

A.RAMALINGESWARA RAO, J

19.01.2016

-

Note: Office is directed to despatch the
copy of this order within one week

-

(B/O)
MVA