

THE HONOURABLE SRI JUSTICE U.DURGA PRASAD RAO

CIVIL REVISION PETITION No.4374 of 2016

ORDER:

Heard Learned Counsel for Petitioner.

2. The grievance of the Petitioner is that he is a 3rd party and he purchased a property in the auction sale held by Junior Civil Judge, Nandalur, YSR Kadapa District, in E.P.No.02 of 2013 in O.S.No.57 of 2009. According to him, he also deposited the entire sale consideration of Rs.3,35,000/- including Stamp and Registration Fee. But yet, the executing Court has not been taking up the further proceedings pursuant to the sale but simply postponing the matter on the ground that a claim Petition E.A.No.69 of 2015 is filed by a 3rd parties, who are said to be the children of the respondent No.2/Defendant though there is no stay of execution of the decree. Learned Counsel thus, seeks a direction to the executing Court to proceed with the EP expeditiously under the plenary powers of this Court under Article 227 of the Constitution of India.

3. Notice was ordered to respondent Nos. 1 and 2. Though notice served, there is no representation for them. In these circumstances, the learned counsel for Revision Petitioner is heard today.

4. As can be seen from the above, the grievance of the revision petitioner is that he being the 3rd party purchaser in Court auction, unable to get the property. It is seen that the revision petitioner

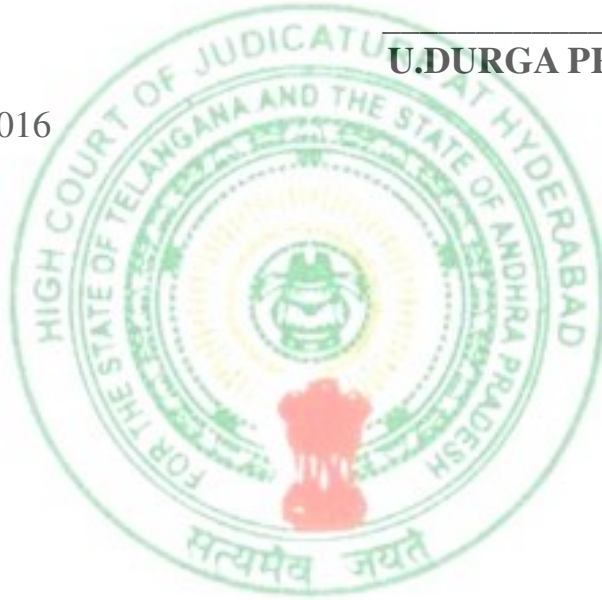
mentioned in his grounds different dates, on which, the matter went on adjournments. Considering it, this Revision Petition is allowed and the Junior Civil Judge, Nandalur, YSR Kadapa District, is directed to dispose of E.P.No.02 of 2013 in O.S.No.57 of 2009 on his file within three months from the date of receipt of a copy of this Order. No costs.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

Date: 24.10.2016

eha

U.DURGA PRASAD RAO, J



THE HONOURABLE SRI JUSTICE U.DURGA PRASAD RAO



eha