

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

FRIDAY THE THIRD DAY OF JUNE
TWO THOUSAND AND SIXTEEN

PRESENT
HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

CRPMP.NO. 1053 OF 2016
AND
CIVIL REVISION PETITION NO. 827 of 2016

Between:

Orchu Srinivasa Rao ... Petitioner

Vs.

Devireddy Srinivasa Reddy ... Respondent

Counsel for the Petitioner: Sri T.Ramakoteswara Rao

Counsel for the Respondent: Sri G.V.S. Mehar Kumar

The Court made the following: [order follows]

HONOURABLE SRI JUSTICE S.V. BHATT

CRPMP.NO. 1053 OF 2016

AND

CIVIL REVISION PETITION NO. 827 OF 2016

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COMMON ORDER :

Vide the present petition, petitioner seeks direction to stay all further proceedings in EP.No. 110 of 2013 in OS.No. 327 of 2006 pending before the Principal Senior Civil Judge's Court, Guntur, pending disposal of Civil Revision Petition.

2. However, learned counsel appearing on behalf of petitioner submits that pursuant to order dated 19/2/2016 the petitioner has already deposited 50% of the E.P. amount i.e., decretal amount to the credit of the suit in the lower court. He further submits that since the order of decree dated 04/12/2015 has not been challenged by the petitioner, therefore, the decree has attained finality. It is made clear that CRP.No.827 of 2016 which is pending before this Court is against the arrest of the petitioner in EP.No. 110 of 2013.

3. Now the petitioner seeks extension of time for a period

of six months to deposit balance amount as per decree.

4. Learned counsel appearing on behalf of the respondent/decreed holder opposed the petition and contends that extension of time may be granted only for two months.

5. Keeping in view the submissions made by counsel for the petitioner, I am of the view that justice would be met if the petitioner is granted six months time from today. Accordingly, the petition is disposed of. Consequently CRP.No. 827 of 2016 stands withdrawn. It is made clear that if the petitioner fails to deposit the balance decretal amount then the trial court is at liberty to proceed against the petitioner in EP.No.110 of 2013 in accordance with law. The trial court is further directed to release the amount deposited by the petitioner in favour of the respondent/decreed holder without furnishing any security on taking steps by him.

6. As a sequel, miscellaneous petitions if any, pending in the Civil Revision Petition shall stand closed. There shall be no order as to costs.

KAIT.

JUSTICE SURESH KUMAR

03/06/2016

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HONOURABLE SRI JUSTICE
SURESH KUMAR KAIT

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