

HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

CIVIL REVISION PETITION No.3764 of 2010

ORDER:

In this revision under Section 115 of the Code of Civil Procedure, the challenge is to the order dated 11th June 2010 of the learned Senior Civil Judge, Piler, whereby, E.P.No.8 of 2008 in O.S.No.53 of 2002 filed by the petitioner/decreed-holder under Order 21 Rule 37 of the Code for realization of the decree debt by arrest and detention of the judgment-debtor/respondent in civil prison, is dismissed. However, the learned counsel for petitioner would submit that as the judgment-debtor died, no cause survives for adjudication.

Recording the said submission, the revision is dismissed as abated. Needless to mention that the decree-holder is at liberty to proceed for execution of the decree by seeking appropriate remedies which the law permits. No costs.

Pending miscellaneous applications, if any, shall stand closed.

M.SEETHARAMA MURTI, J

21st October 2016

ajr