

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

CIVIL REVISION PETITION NO.3855 OF 2016

ORDER:

This Civil Revision Petition is filed against the docket order dated 11.07.2016 passed in E.P.No.78 of 2015 in O.S.No.274 of 2014 on the file of the I Additional District Judge, Ongole.

The order of the lower Court reads as follows:-

“The petitioner/D.Hr filed E.P.78/2015 in O.S.274/2014 on the file of I Additional District Court, Ongole for recovery of E.P. amount of Rs.14,60,563/-. I have seen from the sale warrant, that the petition schedule property is a House having Door No.1-28 to an extent of 142 square yards site in which the R.C.C. building construction consisting ground floor, 1st floor with all fixtures and amenities and I have seen from the western boundary of the house is situated near Bazar of Tallur village which is situated in between Addanki and Darsi Main road.

Considering the above said facts, the upset price is fixed at Rs.20,00,000/-. As the bidders did not come forward to participate in public auction, Sale is adjourned. For further hearing call on 18.07.2016.”

Learned counsel for the petitioner submits that since the upset price is fixed at higher value, bidders are not participating in the auction and the fixation of the price at Rs.20,00,000/- is bad in law.

When the matter came up for consideration before this Court, the petitioner was advised to take appropriate steps where the matter was pending. It appears that an application was filed and it is numbered as E.A.No.169 of 2016 and it is pending.

In view of the same, this Civil Revision Petition is disposed of directing the trial Court to consider the said application and pass appropriate orders in accordance with law within a period of two (2) weeks from the date of receipt of a copy of this order. There shall be no

order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

(A.RAMALINGESWARA RAO, J)

11th November 2016
RRB

