

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

CIVIL REVISION PETITION NO.408 OF 2016

DATED:29-01-2016

Between:

Dadi Anji Babu

... Petitioner

And

Velivelli Aditya
and others

... Respondents

COUNSEL FOR THE PETITIONER: Mr. G.V.S. Meher Kumar, for
Mr. Ch. Vidyasagar

COUNSEL FOR THE RESPONDENTS: -

THE COURT MADE THE FOLLOWING:

ORDER:

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This civil revision petition arises out of order dt.12.08.2015 in I.A. No.62 of 2015 in O.S. No.330 of 2013, on the file of the III Additional District Judge, Narasaraopet, Guntur District.

Respondent Nos.1 and 2 have filed the above-mentioned suit against respondent Nos.3 to 6 for cancellation of sale deeds dt.7.11.2012 and 22.12.2012. It is the pleaded case of the petitioner that by virtue of the above mentioned two sale deeds, respondent No.4 has started construction of an apartment, that the petitioner has entered into an agreement of sale with the said respondent for purchase of one flat and that the petitioner has therefore filed the above mentioned application under Order I Rule 10 of the Code of Civil Procedure, 1908, for his impleadment on the ground that his interests will be affected in the event of the suit being decreed. This application has been dismissed by the lower Court.

In my opinion, the petitioner being an agreement holder has not acquired any right over the property, except to the extent of seeking enforcement of the agreement of sale against respondent No.4. Therefore, the lower Court has rightly dismissed the I.A., by leaving the petitioner free to file a suit for specific performance of agreement of sale, if he is so advised.

For the above-mentioned reasons, I do not find any merit in this civil revision petition and the same is accordingly dismissed.

As a sequel to dismissal of the civil revision petition, C.R.P.M.P. No.502 of 2016 shall stand disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

29-01-2016

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