

THE HON'BLE SRI JUSTICE A.V.SESHA SAI
C.R.P.No.2239 of 2016

ORDER:

The grievance of the petitioner in the present revision filed under Article 227 of the Constitution of India is non-disposal of E.P.No.57/2013 on the file of Court of the Principal Senior Civil Judge, Anantapur.

2. Heard the learned counsel.

3. Petitioner herein instituted O.S.No.48/1998 on the file of the Additional Senior Civil Judge, Anantapur for specific performance of agreement of sale dated 21.02.1994. The said suit was decreed on 17.12.2003. As against the said decree, the defendant/respondent herein preferred A.S.No.13/2004 on the file of the Court of the III Additional District Judge, Anantapur. The said appeal ended in dismissal on 03.07.2006 and the same was assailed before this Court in S.A.No.1296/2006 and the said second appeal was also dismissed by this Court on 21.09.2007. Thereafter, on 01.10.2012, the decree holder/petitioner herein filed E.P.No.57/2013 under the provisions of Order 21 Rule 34 of the Code of Civil Procedure for enforcement of the decree.

4. According to the learned counsel for the petitioner though the petitioner got the decree as long back as on 17.12.2003 he could not get the fruits of the same so far.

5. Having regard to the nature of controversy and taking into consideration the pendency of E.P since 2013, this Court is of the considered opinion that the ends of justice would be served if the Principal Senior Civil Judge, Anantapur is directed to dispose of the E.P.57/2013 by fixing some time frame.

6. For the aforesaid reasons, the revision is disposed of, directing the Principal Senior Civil Judge, Anantapur to dispose of E.P.No.57/2013, in

accordance with law, within a period of three months from the date of receipt of a copy of this order. As a sequel, pending miscellaneous petitions, if any, shall stand closed. No costs.

A.V.SESHA SAI, J

Date:12.08.2016
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THE HON'BLE SRI JUSTICE A.V.SESHA SAI

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Dated 12th August, 2016

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