

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

CIVIL REVISION PETITION No.4974 of 2016

21.10.2016

Between:

Smt.Danaboina Jayalakshmi

..Petitioner

And

Ayaluri Appanna Sastry

..Respondent

Counsel for the petitioner: Mr.V.Jithender Rao

Counsel for the respondent: --

The Court made the following:



ORDER:

The grievance of the petitioner in this civil revision petition is that though the respondent has filed counter-affidavit in I.A.No.307 of 2016 in A.S.No.17 of 2016, the Court below is not disposing of the said I.A.

2. A perusal of the record shows that the petitioner filed the aforementioned I.A. seeking stay of execution of decree in O.S.No.31 of 2007, against which she filed the aforementioned appeal. As rightly submitted by the learned counsel for the petitioner, if the decree for specific performance of an agreement of sale is executed pending the appeal, the appeal itself may become infructuous. Therefore, the Court below ought to have passed appropriate orders in the aforementioned I.A., instead of adjourning the same from time to time, without passing any order.

3. In the above view of the matter, the Court below is directed to dispose of I.A.No.307 of 2016 in A.S.No.17 of 2016, after hearing both sides within a period of one month from the date of receipt of a copy of this order.

4. Subject to the above direction, the Civil Revision Petition is disposed of.

5. As a sequel to disposal of the C.R.P., C.R.P.M.P.No.6453 of 2016 filed by the petitioner for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

21st October, 2016
GHN