

HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

Civil Revision Petition No.2369 of 2016

ORDER:

This Civil Revision Petition arises out of refusal of the Court below to entertain an application for appointment of an Advocate Commissioner, by the order dated 07-12-2015 in I.A.No.798 of 2015 in O.S.No.107 of 2000 on the file of Additional Senior Civil Judge, Machilipatnam.

Heard Sri K. Sai Mohan Rao, learned counsel for the petitioner.

The parties to the dispute had already resolved the issue by way of compromise entered into before Lok Adalat at Machilipatnam. The Lok Adalat passed an award on 13-10-2001.

If the award is not honoured by the respondent, the petitioner should only file an application for execution. An independent interlocutory application in a suit, which is already disposed of as per the award of the Lok Adalat, cannot be filed.

Therefore, the Civil Revision Petition is dismissed leaving it open to the petitioner to approach the Executing Court.

As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

V. RAMASUBRAMANIAN, J

Date: 24-06-2016

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