

THE HON'BLE SRI JUSTICE SANJAY KUMAR

CIVIL REVISION PETITION No.2362 OF 2010

ORDER

This civil revision petition was filed aggrieved by the order dated 22.04.2010 passed by the learned I Additional Senior Civil Judge, Visakhapatnam, in I.A.No.234 of 2010 in O.S.No.68 of 1997.

By order dated 11.06.2010, this Court granted interim stay of further proceedings in the suit.

As service of notice was not effected on the sole respondent in the civil revision petition, this Court passed an order on 28.08.2014 granting two weeks' time to the learned counsel for the petitioner to pay the batta and file the correct address of the sole respondent. This Court added the default clause that in the event the learned counsel for the petitioner failed to do so, the civil revision petition would stand dismissed as against the sole respondent without further reference to the Court.

However, it appears that the Registry did not give effect to this order though the learned counsel for the petitioner failed to pay the batta and file the correct address of the sole respondent. This is clear from the fact that the record reflects that the Registry noted on 25.06.2015 and again on 15.09.2015 that the learned counsel for the petitioner had not paid the batta and had not filed the correct address for the sole respondent. In that view of the matter, the order dated 28.08.2014 necessarily has to be given effect to.

This civil revision petition is accordingly dismissed on this ground.

Interim order dated 11.06.2010 shall stand vacated. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

28th JANUARY, 2016

PGS