

HON'BLE SRI JUSTICE S. RAVI KUMAR

CIVIL REVISION PETITION No.1573 of 2012

ORDER :

This revision is preferred questioning order dated 30.11.2011 in R.C.C.M.A.No.27 of 2009 on the file of Principal Senior Civil Judge-cum-Appellate Authority under A.P. Buildings (Lease, Rent & Eviction) Control Act, Vijayawada, whereunder order dated 13.02.2009 in I.A.No.776 of 2005 in R.C.C.No.13 of 2003 on the file of Rent Controller-cum-IV Additional Junior Civil Judge, Vijayawada, is confirmed.

2. Respondent herein filed R.C.C.No.13 of 2003 before the Rent Controller seeking eviction and in that I.A.No.776 of 2005 is filed under Section 11(4) of A.P. Buildings (Lease, Rent & Eviction) Control Act (for short, 'Rent Control Act') to direct tenant-revision petitioner herein to deposit entire arrears of rent within the time granted by the Court and to stop all further proceedings till such payment is made and direct the tenant to put the landlord-respondent in possession of the building and that petition was contested and on considering the contentions and rival contentions of both parties, learned Rent Controller allowed the petition and directed the tenant to deposit the entire arrears till that date and granted one month time for such deposit. The said order was challenged before the appellate Authority and Principal

Senior Civil Judge, who is the appellate Authority under the Rent Control Act, confirmed the orders of the Rent Controller and challenging the same, present revision is preferred.

3. At the time of ordering notice before admission on 09.04.2012, this Court granted interim stay on the condition that revision petitioner-tenant shall deposit the entire amount as directed by the Rent Controller to the credit of R.C.C.No.13 of 2003 on or before 30.04.2012.

4. Heard both sides.

5. Advocate for revision petitioner-tenant submitted that in compliance of the order dated 09.04.2012, revision petitioner has deposited a sum of Rs.29,100/- on 19.04.2012 and he further submitted that he filed R.C.C.No.85 of 2013 under Section 8(5) of the Rent Control Act seeking permission to deposit the subsequent rents i.e., from February, 2009 onwards and that the said R.C.C. is pending and tenant is regularly making deposit to the credit of said R.C.C. He submitted that in view of deposit of entire arrears and current rents regularly, no further orders are necessary in this revision and parties can be directed to agitate their claims in the proceedings pending before Rent Controller.

6. Other side advocate represented that respondent-landlord has no objection for recording the same.

7. Considering the submissions of both sides, this revision petition is disposed as entire arrears are

deposited and tenant is depositing current rents in the pending R.C.C. filed under Section 8(5) of the Rent Control Act. It is made clear that in case tenant commits default in deposit of rents, landlord is at liberty to avail remedies available under the Rent Control Act.

8. Miscellaneous petitions pending, if any, shall stand closed. No costs.

S. RAVI KUMAR, J

16th March 2016.

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