
Between:

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And

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JUDGMENT PRONOUNCED ON 18.03.2016

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Abstract

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1. Whether Reporters of Local newspapers may be allowed to see the Judgments? :

2. Whether the copies of judgment may be marked to Law Reporters/Journals. :

3. Whether their Ladyship/Lordship wish to see the fair copy of the Judgment? :

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ORDER:

Brief facts of the case are that the petitioner filed R.C. No.242 of 2004 under Section 10(2)(i) of A.P. Buildings (L.R. & E) Control Act 1960 seeking eviction of the respondents. While so, the said petition was dismissed on 25.07.2007 for non prosecution. Thereafter, the petitioner filed I.A. No.284 of 2009 under Order IX Rule 9 CPC seeking to set aside the dismissal order dated 25.07.2007 by restoring the same to its original number. The Court below vide its order dated 17.07.2015 allowed the said application subject to payment of costs of Rs.600/- to the respondents 3 to 5 on or before 31.07.2015.

The learned counsel for the revision petitioners raised only objection that the condition has been complied with by the learned counsel for the respondent herein but not within time.

As could be seen, it appears that in compliance of the condition imposed by the Court below, the learned counsel for the respondent herein made efforts to comply the conditional order within the time by sending the money order to the revision petitioners 3 to 5 herein but because of non receipt of amount either by the said revision petitioners or by the counsel appearing on their behalf the Court below had left with no option except directing the respondent herein to pay the same to the Bar Association and accordingly, the same has been paid and filed receipt as a proof.

In that view of the matter, I do not see any reason to interfere with the impugned docket order as it does not suffer from any legal infirmity and therefore, this revision petition is liable to be dismissed and accordingly, this revision petition is dismissed.

As a sequel, miscellaneous petitions, if any, stands closed.
There shall be no order as to costs.

JUSTICE G.CHANDRAIAH

Date: 18.03.2016
LSK