

HON'BLE SRI JUSTICE S. RAVI KUMAR

C.R.P No.5107 of 1998

ORDER:

This Revision is filed questioning the order dated 09.03.1998 in I.A.No.1015 of 1994 in O.S.No.2061 of 1978 on the file of I Assistant Judge, City Civil Courts, Secunderabad.

2. I.A. No.1015 of 1994 is filed under Order 20 Rule 15 CPC praying to pass final decree and that petition was allowed as revision petitioner herein has not contested said petition and final decree is passed in terms of preliminary decree in A.S.No.136 of 1984. According to which, revision petitioner herein was directed to render accounts of the dissolved firm from 01.08.1972. An Advocate Commissioner was appointed who verified the accounts and filed report stating that a sum of Rs.9,174/- was due from respondents herein to the partnership firm and they are liable to remit the said amount holding so that petition was allowed. Questioning the said order, present CRP was filed in the year 1998.

3. As seen from the record, no stay was granted and in fact CRP was closed on 05.04.2008 as the revision petitioner failed to take steps to serve notice on respondents herein and subsequently a petition was filed in CRPMP No.1070 of 2009 and this Court by order dated

24.02.2009 allowed the petition and restored CRP permitting revision petitioner herein to take steps to serve notice on respondents herein. In spite of that no steps are taken against first respondent and when this matter has taken up on 15.03.2016, advocate for petitioner took time. In spite of that, no interest is evinced. Today when the matter is taken up, neither advocate for petitioner is present nor any representation is made on behalf of petitioner.

4. Therefore, I am of the view that petitioner is not interested in prosecuting the case.

5. Hence, this Civil Revision Petition is dismissed for non-prosecution. No costs. Miscellaneous Petitions, if any pending in this revision petition, shall stand closed.

S. RAVI KUMAR, J

Date: 21-03-2016

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