

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

CIVIL REVISION PETITION NO.1164 OF 2016

DATED:15-07-2016

Between:

M/s. Bharat Tanmai Sesham Estates Pvt. Ltd.,
Rep. by its Managing Director
Mr. Sesham Rao Niranjana
R/o.HIG-34, Sector I
MVP Colony
Visakhapatnam
and another ... Petitioners

And

Sri Changanlal Mitta
and another ... Respondents

COUNSEL FOR THE PETITIONER: Mr. Siva Sai Swaroop

COUNSEL FOR THE RESPONDENTS: Mr. N. Satyanarayana,
for Mr. P. Vikram

THE COURT MADE THE FOLLOWING:

ORDER:

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This civil revision petition is filed by the judgment debtor Nos.1 and 2 feeling aggrieved by numbering and registering the execution petition filed by respondent No.1 – decree-holder.

The only ground raised by the petitioners in this civil revision petition is that in the E.P. respondent No.1 has wrongly claimed higher rate of interest than what was actually awarded in the decree and that therefore the lower Court ought not to have numbered the E.P. In my opinion, the E.P. is not liable to be returned without being numbered and registered merely because of some inconsistency between the claim made therein and the contents of the decree. At best, the petitioners are entitled to raise these objections before the executing court and if the latter is satisfied with the plea of the petitioners, it can pass an appropriate order in conformity with the terms of the decree.

In this view of the matter, the civil revision petition is wholly misconceived and the same is accordingly dismissed.

As a sequel to dismissal of the civil revision petition, C.R.P.M.P. No.1460 of 2016 shall stand disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

15-07-2016

bnr