

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

CIVIL REVISION PETITION No.5388 of 2006

Date:05.02.2016

Between:

S.K.Fareeda,
W/o Kalesha and another.

..... Petitioners

And:

Syed Kalesha,
S/o Mahaboob Saheb

.....Respondent

Counsel for the Petitioners: Mrs. P.Sharada

Counsel for the Respondents: Mr. V.Sudhakar Reddy

The Court made the following:

ORDER:

The petitioners, who are judgment-debtors in O.S.No.37 of 1999 on the file of Junior Civil Judge, Sullurpet, Nellore District, filed this Civil Revision Petition against order, dated 23.9.2006, in E.P.No.118 of 2004, directing execution of the decree.

The only point argued by Mrs. Sharada, learned counsel for the petitioners, is that the decree has been questioned in a Second Appeal and the same is pending.

In my opinion, so long as the decree is not stayed, the respondents are entitled to execute the same.

In that view of the matter, I do not find any jurisdictional error in the order of the Execution Court directing execution of the decree.

Accordingly, the Civil Revision Petition is dismissed. However, this order will not preclude the petitioners from seeking appropriate interim relief in the Second Appeal stated to have been filed by them.

As a sequel to dismissal of the Civil Revision Petition, CRPMP.Nos.7433 of 2006 and 5474 of 2008 shall stand dismissed as infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

*05th February, 2016
DR*