

HON'BLE SRI JUSTICE S. RAVI KUMAR

C.R.P No.277 of 2016

ORDER:

This Revision is filed questioning order dated 06.01.2016 through which VIII Additional District & Sessions Judge, Medak granted police protection to D.Hr as prayed in E.A.No.2 of 2016 in E.P.No.6 of 2015.

2. Revision Petitioner herein is a third party purchaser, who purchased the property through sale certificate dated 31.05.2013 from Authorized Officer, IFCI Limited.

3. The main grievance of revision petitioner is without giving any opportunity to revision petitioner Court below passed the impugned order and that revision petitioner purchased the property through process of law.

4. On 22.01.2016, this Court while suspending the order of Court below permitted petitioner to take out personal notice to respondents through registered post with acknowledgment due and file proof of service. As notices were not served, on the request of advocate for petitioner, petitioner was permitted to take out notices to advocates of respondents in the lower court. In compliance of that order notices are served on Sri Vinod Kumar and Sri N.V.Ramana in the lower court on 23.02.2016. In spite of such service, respondents neither

appeared in person nor through any advocate.

4. Heard advocate for petitioner.

5. The only grievance of revision petitioner is that petitioner was not given any opportunity before passing the above impugned order.

6. Considering the material on record and documents produced on behalf of revision petitioner including order of attachment which was passed in E.A.No.22 of 2015 on 30.9.2015 instead of going into merits of the case, I am of the view that justice would be met if opportunity is given to revision petitioner. For that purpose, impugned order dated 06.01.2016 in E.A.No.2 of 2016 is set aside and court below is to decide the said application afresh after giving opportunity to revision petitioner to file his objections and then decide the matter on merits.

7. Accordingly, this Civil Revision Petition is disposed of by setting aside the order dated 06.01.2016 in E.A No.2 of 2016 directing the Court below to decide the matter afresh after giving opportunity to revision petitioner to file his objections and then decide in accordance with law. No costs.

Miscellaneous Petitions, if any pending in this revision petition, shall stand closed.

S. RAVI KUMAR, J

Date: 28-03-2016

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