

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
HON'BLE SRI JUSTICE G.SHYAM PRASAD

CRP.No.3520 of 2016

Date:25.7.2016

Between:

M/s Arvind Constructions (P) Ltd.,
Engineers and Contractors, Secunderabad,
Reptd by its Director-G.L.Reddy

..... **Petitioner**

And:

Union of India, reptd by its
Engineer-in-Chief, New Delhi
and two others.

....**Respondents**

Counsel for the petitioner: Mr. M.Rajamalla Reddy

Counsel for Respondents: None appeared

The Court made the following:

ORDER: *(per Hon'ble Sri Justice C.V.Nagarjuna Reddy)*

This Civil Revision Petition is filed against order, dated 02.4.2012, in E.P.No.25 of 2003 on the file of the Chief Judge, City Civil Courts, Hyderabad.

At the hearing, Mr. M.Rajamalla Reddy, learned counsel for the petitioner, submitted that in view of the recent judgment of the Supreme Court in ***Hyder Consulting (UK) Ltd Vs. Governor, State of Orissa***^[1], his client is constrained to file this Civil Revision Petition.

When we pointed out the delay in approaching this Court, the learned counsel submitted that since the Execution Petition in which the order under revision is passed is still pending, his client is constrained to approach this Court.

In our opinion, if the petitioner has justification to file a Civil Revision Petition at this length of time, he can as well have approached the Execution Court by way of a Review.

Therefore, we are not inclined to entertain this Civil Revision Petition for disposal on merits. Instead, the petitioner is permitted to file a Review before the Execution Court. In such event, the Execution Court shall take a decision on all aspects, without being influenced by any observations made in this order, and pass an appropriate order.

Subject to the above observations, the Civil Revision Petition is dismissed.

As a sequel to dismissal of the Civil Revision Petition, CRPMP.No.4525 of 2016 is dismissed as infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

JUSTICE G.SHYAM PRASAD

*25th July 2016
DR*

[\[1\]](#) (2015)2 SCC 189