

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

CIVIL REVISION PETITION No. 4804 of 2016

ORDER:

1) The present Civil Revision Petition is filed under Article 227 of Constitution of India seeking a direction to the Principal Junior Civil Judge, Puttur, Chittoor District, to execute regular sale deed in favour of the decree holder in respect of the property covered in E.P.No.36 of 2012 in O.S.No.63 of 2009.

2) Heard learned counsel for the petitioner. There is no necessity to put the respondent on notice as this Court is not venturing to adjudicate the issue on merits.

3) The petitioner herein filed O.S.No.63 of 2009 for specific performance of contract directing the defendant to execute the regular sale deed in favour of the plaintiff in pursuance of agreement of sale dated 29.01.1970 executed by G.Venkataswamy Raju in favour of the plaintiff's father C.C.Narayana Raju. The said suit was decreed on 16.06.2009 which is as under:

“The defendant be and hereby is directed to execute a regular registered sale deed in favour of the plaintiff in respect of the suit schedule property in pursuance of the sale agreement dated 29.01.1970, within four (04) months from

the date of the decree, failing which, the plaintiff is at liberty to get the regular registered sale deed through the process of law; and the defendants do pay the plaintiff a sum of Rs.840.50 towards costs of the suit.”

4) Thereafter, the petitioner herein filed E.P.No.36 of 2012 seeking execution of the said decree. It is stated that though the said E.P. was filed in the year 2012 but the Court below postponed the matter on one pretext or the other.

5) Having regard to the facts and circumstances of the case, the Principal Junior Civil Judge, Puttur, is directed to dispose of E.P.No.36 of 2012 in O.S.No.63 of 2009 in accordance with law, as early as possible, preferably, within a period of ten (10) weeks from the date of receipt of a copy of this Order.

6) With the above direction, the Civil Revision Petition is disposed of. There shall be no order as to costs. Miscellaneous Petitions, if any, pending in this Civil Revision Petition, shall stand closed.

JUSTICE C. PRAVEEN KUMAR

21.10.2016
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