

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

CRP.No.54 OF 2016

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ORDER:

This revision petition is filed against the order dated 02.12.2015, passed in EP.No.286 of 2014 in OS.No.29 of 2007, by the Principal Junior Civil Judge, Kurnool, Kurnool District and for a consequential direction to dismiss the said EP.

This Court by order dated 07.01.2016, granted interim stay of all the proceedings in EP.No.286 of 2014 in OS.No.29 of 2007, on condition of the petitioner depositing 1/3rd of the decretal amount along with costs and interest within a period of four weeks. It is also stated in the said order that in default of depositing the said amount by the petitioner, the stay shall automatically stands vacated and further proceedings would follow.

When the matter is listed on 10.02.2016 and on 26.02.2016, learned counsel for the respondent stated that the amount has not been deposited by the petitioner.

Since the interim order dated 07.01.2016 is not complied with, it is open for the respondent to execute the impugned order. After considering the evidence of PW.1, RW1 and RW2 and Exs.R1 to R6, this Court comes to a conclusion that the petitioner/J.Dr. is having sufficient means to pay the decretal amount and that he is deliberately avoiding paying the same. In view of the same, I do not see any merits in the CRP.

Accordingly, the CRP is dismissed. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the CRP shall stand closed.

11.03.2016
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A.RAJASHEKER REDDY, J