

THE HON'BLE SRI JUSTICE G. SHYAM PRASAD

CIVIL REVISION PETITION No.4432 OF 2016

ORDER:

This civil revision petition is arising out of order dated 02.08.2016 passed in E.P.No.93 of 2015 in O.S.No.215 of 2012 on the file of the Court of the Senior Civil Judge at Bobbili (for short, trial Court).

2. The revision petitioner is the judgment debtor in E.P.No.93 of 2015 and defendant in O.S.No.215 of 2012.

3. Heard Sri Velagala Kanika Reddy, learned counsel for the petitioner and none appears for the respondent.

4. Learned counsel for petitioner submits that the petitioner has filed CRP.MP.No.5765 of 2016 in CRP.No.4432 of 2016 seeking stay of all further proceedings including the execution of order dated 02.08.2016 in E.P.No.93 of 2015 in O.S.No.215 of 2012. This Court, by order dated 17.09.2016, granted stay of all further proceedings in E.P.No.93 of 2015, until further orders, subject to payment of half of the EP amount and costs within a period of four weeks. He further submits that as per the above direction, half of the amount has been paid by the petitioner in E.P.No.93 of 2015, but he could not file any material to show that the above order of this Court has been complied.

5. In view of the submissions made by the learned counsel for the petitioner, if the revision petitioner has deposited half of the EP amount, the stay shall be in force and it will be made absolute with a condition that he shall deposit the balance amount in four monthly instalments, payable on or before 10th of every month. In case, if he has not deposited the amount as per the order dated 17.09.2016, there shall be no stay and the trial Court can proceed further in E.P.No.93 of 2015.

6. With these observations, the civil revision petition is disposed of. No order as to costs. Miscellaneous petitions pending, if any, shall stand closed.

Date: 18.11.2016
TJMR

G.SHYAM PRASAD, J

