

**THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY**

**CIVIL REVISION PETITION No.2495 OF 2013**

**ORDER:**

1 This Civil Revision Petition, under Article 227 of the Constitution of India, is filed challenging the action of the Senior Civil Judge, Avanigadda in proceeding with E.P.No.9 of 2012 in O.S.No.59 of 2011 filed by the respondent pending consideration of the application filed by the petitioner for setting aside the *ex-parte* decree passed in the suit.

2 Heard both sides.

3 A perusal of the record reveals that the respondent filed O.S.No.59 of 2011 on the file of the Senior Civil Judge, Avanigadda against the petitioner for recovery of Rs.7,80,000/- basing on a promissory note dated 01.08.2010. The trial Court passed an *ex-parte* decree on 30.09.2011. The respondent filed E.P.No.9 of 2012 in O.S.No.59 of 2011. On coming to know about the filing of the E.P. by the respondent, the petitioner filed G.L.No.2667 of 2012 on 29.07.2012 seeking to set aside the *ex-parte* decree dated 30.09.2011. The trial Court, instead of deciding the G.L.No.2667 of 2012, is proceeding with E.P.No.9 of 2012. Hence the present revision.

4 Both counsel in one voice submitted that the trial Court may be directed to dispose of the interlocutory applications, if any, filed by the petitioner and till such time all further proceedings in the E.P. may be stayed.

5 In view of the submissions made by both the counsel, I am not inclined to go into the merits of the main case.

6 Having regard to the submissions made by both the counsel, the learned Senior Civil Judge, Avanigadda is hereby directed to dispose of G.L.No.2667 of 2012 in O.S.No.59 of 2011 as expeditiously as possible, at any rate, on or before 31.08.2017. The trial Court is further directed not to proceed with E.P.No.9 of 2012 till 31.08.2017.

7 This Civil Revision Petition is accordingly disposed of. No order as to costs. As a sequel, miscellaneous petitions pending in this Civil Revision Petition, if any, shall stand closed.

*Date: 26.04.2017*  
*Kvsn*

T. SUNIL CHOWDARY, J

