

THE HON'BLE SRI JUSTICE M. S. K. JAISWAL

C.R.P.No. 6433 of 2004

ORDER:

The present civil revision petition is filed in the year 2004 questioning the correctness of the orders in E.A.No.173 of 2003 in E.P.No.15 of 2003 on the file of II Additional Chief Judge, City Civil Court, Hyderabad, dated 14.06.2004, by and under which, the Court below held that the claim petition is not maintainable.

2. However, during the pendency of the present CRP, it is represented that another claim petition, bearing E.A.No.84 of 2010, has been filed and the same is pending enquiry, and, as a matter of fact, documentary and oral evidence has been produced and arguments are being advanced before the Court below. It is also brought to the notice of the Court that during the interregnum, earlier the present CRP was dismissed on 25.04.2005 for non prosecution, and subsequent to that, the claim petition in E.A.No.84 of 2010 came to be filed.

3. Therefore, in view of the above, virtually, nothing survives in the present revision petition. It is needless to say that all the contentions that are available to the claim petitioners, decree-holders and judgment debtors are being effectively adjudicated in the subsequent claim petition, which is pending before the executing Court for adjudication.

4. In that view of the matter, the present revision petition is dismissed, with an observation that all the parties are at liberty to

raise their respective contentions in the pending claim petition i.e., E.A.No.84 of 2010, and the learned Executing Court shall dispose of the said claim petition uninfluenced by the findings made in the present proceedings so far.

5. The Civil Revision Petition is accordingly dismissed. Consequently, pending miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

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M. S. K. JAISWAL, J

Date: 02.06.2017

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