

HON'BLE SRI JUSTICE S.V.BHATT

CIVIL REVISION PETITION No.4160 of 2016

ORDER:

Heard Sri V.R.Avula for petitioner and Sri K.Amarnath Reddy for respondent.

The decree holder is the revision petitioner. The decree holder aggrieved by the dismissal of E.P.No.65 of 2014 has filed the instant Civil Revision Petition.

The trial court has proceeded to answer the point for decision primarily by considering the fact of filing of I.P.No.8 of 2008 and execution of Ex.R-1-Gift Deed by respondent in favour of his son.

Counsel appearing for both parties in support of their respective contentions have made several submissions and having regard to the fact that most of the submissions now canvassed before this Court were not either raised or canvassed before the Executing Court, suggest that the order under Revision may be set aside, remand the EP., afford opportunity to both parties.

I have perused the material available on record.

Accepting the statement of learned counsel, the order under revision is set aside. E.P.No.65 of 2014 is restored to its file and remanded to the Executing Court for disposal in accordance with law. Both the parties are given opportunity to file additional material within three months from today.

The Civil Revision Petition is ordered, as indicated above.

There shall be no order as to costs.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.

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S. V. BHATT, J

Date: 20-03-2017

Prv



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20-03-2017

Prv