

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

CIVIL REVISION PETITION No.1231 of 2017

ORDER:

This civil revision petition is preferred against the order, dated 20.02.2017, passed in E.P.No.43 of 2011 filed by the respondents-decree holders in RCC No.2 of 2003 on the file of the Junior Civil Judge, Kanigiri.

By the impugned order, the executing Court allowed the E.P. and directed the Court Ameen to deliver the vacant and peaceful possession of the petition schedule premises to respondent No.2-decree holder.

Admittedly, the petitioner is a tenant and is continuing in the premises for the last several years. RCC No.2 of 2003 was filed for recovery of arrears of rent and the same was allowed on 01.05.2008. The petitioner filed RCA No.1 of 2008 before the Senior Civil Judge, Kandukur and the same was dismissed on 02.08.2010. Thereafter, E.P.No.43 of 2011 was filed for delivery of vacant possession of the petition schedule premises and an order was passed on 20.02.2017.

When this Court said that there is no ground to interfere with the order impugned, learned counsel for the petitioner sought time to file an undertaking for vacating the schedule premises. Accordingly, the petitioner filed an undertaking stating that he would vacate the petition schedule premises by 30.11.2017 without fail.

In view of the undertaking given by the petitioner to vacate the petition schedule premises, where he is running a Hotel, by 30.11.2017, this civil revision petition is disposed of directing the petitioner to vacate the petition schedule premises on or before 30.11.2017 by duly paying the agreed monthly rent and if he commits any default in payment of the amount, it is open to the decree holders to take further steps pursuant to the order impugned. If the petitioner does not vacate the premises by 30.11.2017, in view of the undertaking given by him, appropriate proceedings will be taken against him for violating the same under the provisions of the Contempt of Courts Act.

Miscellaneous petitions, if any, pending in this civil revision petition shall stand closed. There shall be no order as to costs.

Dt:25.04.2017
kdl

A.RAMALINGESWARA RAO,J

