

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

CIVIL REVISION PETITION No. 3444 OF 2017

DATED 15TH SEPTEMBER, 2017

Between:

Kandregula Sivasatyanarayana and others ... Petitioners

AND

Doddi Venkata Appa Rao ... Respondent

Counsel for the petitioners : Sri R.Siva Sai Swaroop

Counsel for the respondent : Sri Shaik Karimulla



THE COURT MADE THE FOLLOWING

ORDER:

Assailing proclamation and sale notification *vide* paper publication dated 04-07-2017 (wrongly mentioned as 21-07-2017 in the memorandum of grounds), the judgment debtors in E.P.No. 38 of 2016 in O.S.No. 131 of 2014 on the file of the Court of Senior Civil Judge, Gajuwaka, have filed this revision petition.

2. Sri R.Siva Sai Swaroop, learned counsel for the petitioners, submitted that as per the publication of sale notice, the sale was held and that as no bidder came forward to purchase the property, the respondent-decree holder himself has purchased the same for Rs.13,00,000/-. On 18-08-2017, learned counsel for the petitioners submitted that his clients are prepared to pay the E.P. amount along with interest within two weeks. On that assurance, this Court has granted stay of confirmation of auction. When the case came up on 01-09-2017, learned counsel for the petitioners was not present. Therefore, this Court has adjourned the case to today.

3. Today at the hearing, the learned counsel for the petitioners submitted that his clients did not deposit the E.P. amount. The sale was conducted on the day on which notice was issued by this Court. The petitioners are entitled to avail appropriate legal remedy, if any procedural illegality or irregularity has been committed in the conduct of sale. However, as the petitioners secured an order of stay of confirmation of auction on the promise of paying the E.P. amount and they have not stood on their promise, they are saddled with costs of Rs.5,000/- payable to the respondent within two weeks from today.

4. The civil revision petition is accordingly dismissed.

5. As a sequel to dismissal of the civil revision petition, C.R.P.M.P.No. 4542 of 2017 shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J.

Date: 15-09-2017.

JSK

