

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CIVIL REVISION PETITION No.5842 of 2016

Date:03.01.2017

Between:

Selma Laboratories Private Limited
(formerly Avalan Labs Private Limited)
Regd Office at Sy.No.10,
Gaddapotharam Village, Jinnaram Mandal,
Hyderabad rep by its Managing Director
Pallerla Srinivasa Reddy, Hyderabad.

... Petitioner.

AND

M/s. S.R. Securities rep by its Proprietor,
B. Sudhakar Reddy, B.K.Guda, Sananthnagar,
Hyderabad and others.

...Respondents.

The Court made the following :



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ORDER:

This petition under Section 115 of CPC is filed questioning the order in E.A.No.13/2016 in E.P.No.6/2015 in O.S.No.533/2013 on the file of VIII Additional District & Sessions Judge at Medak.

2. In an application filed under Order 21 Rule 54 of CPC for stay of further proceedings, the trial Court passed the order on several grounds, but the Executing the Court passed the following order:-

“Heard. Petition is allowed and no prejudice will be caused by allowing this petition. Hence, this petition is allowed for fresh disposal.”

3. Heard Sri Ch. Pushyam Kiran, learned counsel for the petitioner and Sri E.V.V.S. Ravi Kumar, learned counsel for the respondents.

4. The relief sought for in the E.A., is to attach the immovable property i.e., the land and building in the presence of respondent No.2-Company, situated in Unit-III, Gaddapotharam Village, Jinnaram Mandal, Medak District, pending disposal of the E.P., by dispensing the notice in the interest of justice and equity.

5. The Executing Court, instead of passing a reasoned order, allowed the petition on the ground that if the petition is allowed, no prejudice would be caused, that is not an order expected from an

officer in the cadre of District Judge since order is not conveying any separate meaning and the Court is supposed to pass a reasoned order for such conclusion, therefore, the order is cryptic on the face of it and the same is hereby set aside directing the Court of VIII Additional District & Sessions Judge, Medak to decide the petition in accordance with the law assigning specific reasons for such any conclusion, within 20 days from the date of receipt of this order.

6. Accordingly, this Civil Revision petition is disposed of and miscellaneous petitions, if any, pending in this Civil Revision Petition, shall stand dismissed. No costs.

M. SATYANARAYANA MURTHY, J

Date: 03.01.2017

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