

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CIVIL REVISION PETITION No.1711 OF 2017

ORDER:

The Civil Revision Petition is filed questioning the order dated 22.03.2017, passed by the V Additional District Judge, Nellore, in I.A.No.623 of 2016 in L.A.O.P.No.1 of 2011.

Petitioners herein are the Advocates who had appeared on behalf of the respondents herein in L.A.O.P.No.1 of 2011 on the file of V Additional District Judge, Nellore. The main dispute is in relation to the payment of professional fee to the petitioners for conducting the L.A.O.P No.1 of 2011 on behalf of the respondents. It is not necessary for this Court to enter into the controversy in issue.

Heard the learned senior counsel for the petitioners and the learned counsel for the respondents.

One aspect of the matter which is not in dispute that the petitioners had appeared and conducted the L.A.O.P proceedings before the Court below and having not been paid the professional fee. There is a dispute with respect to the amounts that is payable in all to the petitioners is Rs.21,25,405/-. It is the contention of the petitioners that it is only on account of the efforts of the petitioners apart from getting the enhancement in the compensation payable to the respondents, the amount of compensation was deposited by the Government. Petitioners had also persuaded the concerned department for depositing the money before the Court and which aspect is not being denied by the respondents. As the claim for professional fee is pending and is required to be adjudicated and considering that there are as many as 62 defendants-respondents, if the amount is disbursed, it may not be possible for the petitioners to realize the professional fee even if a decree is passed in their favour. In those circumstances, out of the total amount

deposited which is about Rs.1.79 crores the amount equivalent to the suit claim shall be retained and the same shall be kept in interest bearing fixed deposit in a nationalized bank and the balance amount can be disbursed to the respondents. The disbursal of the amount shall be subject to the final orders that may be passed in the suit.

With the above observations, the civil revision petition is disposed of. Miscellaneous Petitions, if any pending in this civil revision petition shall also stand closed. No order as to costs.

CHALLA KODANDA RAM,J

Date:14.07.2017
Gk



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