

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

CIVIL REVISION PETITION NO.2407 OF 2017

DATED:16-06-2017

Between:

Chapala Salomi ... Petitioner

And

Gudivada Arjuna Appa Rao ... Respondent

COUNSEL FOR THE PETITIONER: Mr. T.D. Phani Kumar

COUNSEL FOR THE RESPONDENT: -



THE COURT MADE THE FOLLOWING:

ORDER:

This civil revision petition arises out of order dt.09.02.2017 in E.P. No.72 of 2016 in O.S. No.288 of 2010 on the file of the Principal Senior Civil Judge, at Gajuwaka.

The petitioner has suffered a decree for recovery of money. As he failed to pay the decretal amount, the respondent has filed the aforementioned execution petition for attachment of schedule property and to bring the property for sale in public auction. The petitioner pleaded before the lower Court that the schedule property was sold before the execution petition was filed. However, the lower Court has ordered notice under Order XXI Rule 64 of the Code of Civil Procedure, 1908 (CPC) by holding that except the plea that he has sold the property, neither the document of sale has been produced, nor at least the name of the purchaser has been indicated by the petitioner.

In the aforementioned facts of the case, I do not find any reason to interfere with the order of the lower Court and hence the civil revision petition is dismissed.

As a sequel to dismissal of the civil revision petition, C.R.P.M.P. No.3146 of 2017 filed by the petitioner for interim relief shall stand disposed of as infructuous.

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C.V. NAGARJUNA REDDY, J

16-06-2017

*bmr*

