

HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CIVIL REVISION PETITION No.869 of 2015

ORDER:

This Civil Revision Petition under Section 115 of CPC is filed by the petitioner challenging the operative portion of the Order dt. 29.10.2014 in E.P.No.46 of 2013 in O.S.No.136 of 2007 on the file of Principal Junior Civil Judge, Amalapuram, whereby the petition filed under Order XXI Rule 48 CPC is allowed subject to the result in I.A.No.555 of 2014 and I.A.No.556 of 2014 in O.S.No.136 of 2007 and until the disposal the petitions, the petitioner was not permitted to receive the amount deposited to the credit of EP.

During hearing, learned counsel for petitioner, has produced a copy of the Order dt. 2.03.2017 in I.A.No.556 of 2014 in O.S.No.136 of 2017 i.e., a Petition filed under Order IX Rule 13 of CPC, which was ended in rejection, in view of the dismissal of petition filed under Order 5 of Limitation Act.

In view of the above, there is no prohibition against this petitioner to receive the amount, which is credited to the EP. Hence, no further orders need be passed since the order dt.29.10.2014 passed by the Executing Court is subject to disposal of I.A.No.555 of 2014 and 556 of 2014, which are ended in dismissal.

With the above observation, this Civil Revision Petition is disposed off, permitting the petitioner to receive the amount deposited to the credit of Execution Petition.

As a sequel, miscellaneous petitions, if any, pending in this case, shall stand closed.

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M. SATYANARAYANA MURTHY, J

Date: 18-04-2017.

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