

THE HON'BLE SRI JUSTICE SANJAY KUMAR

CIVIL REVISION PETITION 1912 of 2017

O R D E R

This civil revision petition under Article 227 of the Constitution arises out of the order dated 28.02.2017 passed by the learned II Additional Senior Civil Judge, Ranga Reddy District, in I.A.No.97 of 2017 in O.S.No.490 of 2012. The said I.A. was filed by the plaintiff in the suit under Order 15-A CPC to strike off the defence of the defendant in the suit on the ground that he had failed to pay the rentals. By the order under revision, the trial Court found it to be so and accordingly struck off the defence of the defendant. Aggrieved thereby, the defendant is before this Court.

It is now stated by Sri K.R.K.Gargeya, learned counsel for the petitioner/defendant, that the rental arrears have been cleared up to the end of June, 2017.

Sri Ch.Ramesh Babu, learned counsel for the respondent/plaintiff, admits receipt of the aforestated rental arrears.

That being so, the petitioner/defendant would be entitled to put forth his defence in the suit subject to his continuing to pay the rentals of Rs.6,000/- per month regularly commencing with the rental due for the month of July, 2017. Subject to compliance with this condition, the trial Court shall restore the defence of the petitioner/defendant and allow him to contest the suit.

The civil revision petition is accordingly allowed. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR,J

Date:28.07.2017

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