

HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

Civil Revision Petition No.585 of 2014

ORDER:

This revision is filed challenging the docket order issuing warrant for delivery of property to the auction purchaser – petitioner before the executing court. The order was challenged by the second respondent therein and the petitioner herein on various grounds by filing revision under Section 115 of the Code of Civil Procedure.

2. Sri P.Animi Reddy, the counsel for the respondent No.2, reported no objection for allowing the petition and endorsed the same on the Civil Revision Petition, subject to permitting the respondent No.2 to withdraw the amount he deposited and interest, if any, accrued thereon in the event of deposit of the amount in any fixed deposit.

3. Recording the submission made by Sri P.Animi Reddy, learned counsel for the respondent No.2, the Civil Revision Petition is allowed setting aside the order, dated 7.2.2014 in E.A.No.28 of 2012 in E.P. No.107 of 2009 in O.S. No.564 of 2007 passed by the Additional Senior Civil Judge, Kurnool, recalling the warrant, while permitting the respondent No.2 – auction purchaser to withdraw the amount deposited by him lying to the credit of the E.P. No.107 of 2009 in O.S. No.564 of 2007 together with interest, if any, accrued thereon in the event of keeping the amount in any fixed deposit. No order as to costs.

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

M. SATYANARAYANA MURTHY, J

Date:06-06-2017

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