

THE HON' BLE SRI JUSTICE C.PRAVEEN KUMAR

CIVIL REVISION PETITION No. 715 of 2017

ORDER:

1) The present Civil Revision Petition came to be filed under Article 227 of the Constitution of India, questioning the inconsistency in the order and decree dated 31.10.2016 passed in I.A.No.844 of 2016 in O.S.No.326 of 2008 on the file of the Additional Senior Civil Judge, Madanapalle.

2) A perusal of the material placed before the Court would show that the result portion of the order dated 31.10.2016 passed in I.A.No.844 of 2016 reads as under:

“Hence, the petition is allowed subject to payment of stamp duty and penalty into the Court or before the District Registrar on or before 10.11.2016. Failing which the petition stand dismissed.”

3) However, the decree which was drafted basing on the said order reads as under:

“1. That the petition be and the same is hereby dismissed;
and

2. That there be no order as to costs.”

4) Since there is a difference in the order and decree dated 31.10.2016 passed in I.A.No.844 of 2016, this Court is of the

opinion that it would be just and proper for the petitioner to approach the trial Court for rectification of mistake, in which event the trial Court shall consider the same in accordance with law at the earliest. In view of the discrepancy in the order and decree, the petitioner can seek the extension of time for complying with the order, before the trial Court.

5) With the above direction, the Civil Revision Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, pending, if any, shall stand closed.

07.04.2017
gkv



JUSTICE C. PRAVEEN KUMAR