

**HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

**CIVIL REVISION PETITION No.5591 OF 2012**

**ORDER:**

This Civil Revision Petition is filed by the defendant in O.S.No.21 of 2010, aggrieved by the Order dated 27.08.2012, passed in I.A.No.375 of 2012 in O.S.No.21 of 2010, by the learned III Additional Senior Civil Judge, Kakinada.

2) The brief averments are that the revision petitioner-defendant filed I.A.No.375 of 2012 in O.S.No.21 of 2010, under Section 5 of the Limitation Act, to condone the delay of 544 days in filing the petition to set aside the *ex parte* judgment and decree dated 09.09.2010. Learned III Additional Senior Civil Judge, Kakinada, found that the petitioner failed to explain the reasons for the inordinate delay of 544 days in filing the petition for setting aside the *ex parte* decree dated 09.09.2010 and recording the said finding the Court had dismissed the delay condonation petition.

3) Learned counsel for the petitioner submits that she has no instructions in the matter, in spite of the best efforts she made to contact her client.

4) When the matter is taken up for hearing, learned counsel for the respondents submits that pursuant to the decree passed on 09.09.2010, E.P.No.77 of 2010 came to be filed and, as a matter of fact, property was also delivered in favour of the respondents-plaintiffs on 12.12.2012.

5) Recording the said submission of the learned counsel for the respondents, and this Court having not satisfied with the grounds

pleaded by the revision petitioner and having not found any error in the order of the Court below in dismissing the petition filed under Section 5 of the Limitation Act, this Civil Revision petition is dismissed. There shall be no order as to costs.

6) As a sequel, miscellaneous petitions pending, if any, shall also stand dismissed.

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**CHALLA KODANDA RAM, J**

Dated: 17.08.2017  
Ssv

