

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CIVIL REVISION PETITION NO.2839 OF 2017

ORDER:

This Civil Revision Petition is filed by the petitioner/D.Hr. under Article 227 of the Constitution of India challenging the order, dated 01-06-2017 passed in E.A.No.20 of 2017 in E.P.No.62 of 2011 by the II Addl. Chief Judge, City Civil Court, Hyderabad and to issue consequential direction to the II Addl. Chief Judge, City Civil Court, Hyderabad, to dispose of the E.P., which is pending for the last six years within a period of four weeks on various grounds.

2. The respondent (J.Dr.) herein filed the above Execution Application under Order XVII Rule 1 r/w Section 151 C.P.C. to adjourn the E.P. in view of involvement of huge amount before the District Court at Chandigarh as per the orders passed by the High Court of Punjab and Haryana and Supreme Court. The said application was allowed. Hence, the revision.

3. No doubt, the order passed by the Executing Court is a cryptic order and the Court granted time till 19-07-2017. The Court is expected to pass reasoned order in the application filed under Order XVII Rule 1 CPC. But, the Executing Court disowning its responsibility passed the cryptic order. Therefore, the order is liable to be set aside.

4. Accordingly, the Civil Revision Petition is allowed setting aside the order, dated 01-06-2017 remanding the application to the Executing Court. The Executing Court is directed to pass reasoned order on the application filed under Order XVII Rule 1 CPC. No order as to costs. Miscellaneous petitions, if any pending, in this revision shall stand closed.

M.SATYANARAYANA MURTHY, J

DATED:28-06-2017.

Hsd