

HON'BLE SRI JUSTICE SURESH KUMAR KAIT

CIVIL REVISION PETITION No.4409 of 2016

ORDER : (Oral)

Petitioner is aggrieved by the order dated 23.02.2016 passed in E.A.No.34 of 2016 in E.P.No.13 of 2016 in O.S.No.182 of 2012 on the file of Senior Civil Judge, Mangalagiri, Guntur District.

2. Respondent No.1 filed the above petition under Section 151 of CPC to grant Police aid and direct the Station House Officer, Mangalagiri to give necessary protection to the suit schedule property.

3. Permanent injunction was granted in O.S.No.182 of 2012 in favour of plaintiff. He was directed in the said decree that he has to allot 100 shares out of 825 shares to the plaintiff in O.S.No.94 of 2011 and 100/825 shares to the plaintiffs in O.S.No.139 of 2010. The defendant No.1 pleaded before the Court below that he wanted to comply with the decree in O.S.No.182 of 2012 and to proceed with the division of properties as per the decree. But the defendants including the petitioner herein, are obstructing him. Therefore, he requested the Court to grant Police aid.

4. The trial Court opined that no loss or prejudice is going to be caused to the judgment debtors if Police protection is granted, as they will get their shares also as per the decree in O.S.No.182 of 2012.

5. Having regard to the above facts, the Station House Officer, Mangalagiri Rural Police Station was directed to give Police aid and communicate the order on process.

6. The aforesaid order was passed on 23.02.2016. Being aggrieved, the petitioner herein/judgment debtor No.1 files the present petition.

7. This revision was first taken up on 21.11.2016. On said date, appeared none on behalf of the petitioner. The position remained same on the next date of hearing i.e. 30.11.2016. On 08.12.2016 and 21.12.2016, at the request of the counsel for petitioner, the matter was adjourned. Today also counsel for petitioner seeks adjournment.

8. Finding no merit, the petition is dismissed on merit as well as for non-prosecution. No costs. Pending miscellaneous applications, if any, shall stand closed.

24th March 2017

ajr



SURESH KUMAR KAIT, J