

HON'BLE SRI JUSTICE Dr. B. SIVA SANKARA RAO

CIVIL REVISION PETITION No.6223 of 2017

ORDER:

Heard both sides and perused the grounds urged in the revision and the impugned order of the lower court dated 03.07.2017 in I.A.No.24 of 2017 in the pending suit O.S.No.125 of 2016 with a direction to pay rent @ Rs.25,000/- per month from October 2015 onwards.

The contest of the revision petitioner, who is the respondent before the lower Court is that he invested huge amounts and there was elderly settlement and there are third parties sit in settlement though nothing obtained in writing and acknowledgment of the so called settlement, he is entitled to adjust the amount whatever the rents payable out of what he alleged invested.

When such is the case, instead of continuing the order of the lower Court of payment, it can be modified as to deposit the amount due within one month from the date of receipt of this order to invest such deposit amount to the fixed deposit by the learned Senior Civil Judge pending disposal of the suit and the learned Senior Civil Judge shall take up trial of the suit and dispose of the suit subject to other priorities, preferably within six months from the date of receipt of this order.

Having regard to the above, the civil revision petition is disposed of.

Consequently, miscellaneous petitions, if any shall stand closed. No costs.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 08.12.2017
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