

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.08.2018

CORAM

The Hon'ble Mr.Justice **M.M.SUNDRESH**

C.R.P(NPD)No.1450 of 2018
& CMP No.7712 of 2018

M/s Bharat Petroleum Corporation Ltd.,
Rep. by its Regional Director,
No.1, Ranganathan Gardens,
11th Main Road, Anna Nagar,
Chennai-600 040.

.... Petitioner

Vs.

1.M/s Ram KrishanKulwantRai
Holdings Private Ltd.,
Represented by its Directors
Mr.RiteshRai and Rajiv Rai,
No.6/13, North Avenue, K.P.Puram,
Chennai-600 028.

2.K.G.Loganathan,
403, TH Road, Thiruvottiur,
Chennai-600 019.

.. Respondents

Civil Revision Petition is filed under Section 115 of Civil Procedure

Code against the order dated 28.02.2018 passed in E.P.No.16 of 2017 in

O.S.No.100 of 1999 on the file of the District Munsif Court, Thiruvottiur.

For Petitioner : Mr.V.Anantha Natarajan

For Respondents : Mr.S.Ramesh for R1

ORDER

Suit filed in O.S.No.100 of 1999 was decreed. Aggrieved over the same, the petitioner preferred an appeal, which is pending before the Sub Court, Ponneri, in A.S.No.20 of 2017. In the meanwhile, the respondent/plaintiff filed execution petition in E.P.No.16 of 2017. The trial Court ordered delivery of vacant possession and hence, the present Civil Revision Petition.

2. Inasmuch as the appeal filed by the petitioner is pending consideration, this Court is of the view that it would be appropriate to stay the execution petition till the disposal of the appeal. Accordingly, there shall be an order of stay of execution petition pending disposal of the appeal in A.S.No.20 of 2017 taking into consideration the facts and circumstances of the case. The Sub Court, Ponneri, is directed to dispose of A.S.No.20 of 2017 within a period of three months from the date of receipt of a copy of this order.

3. The Civil Revision petition stands disposed of accordingly. No costs. Consequently connected civil miscellaneous petition stands closed.

03.08.2018

Note: Issue order copy on 11.08.2018

Index:Yes/No
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To

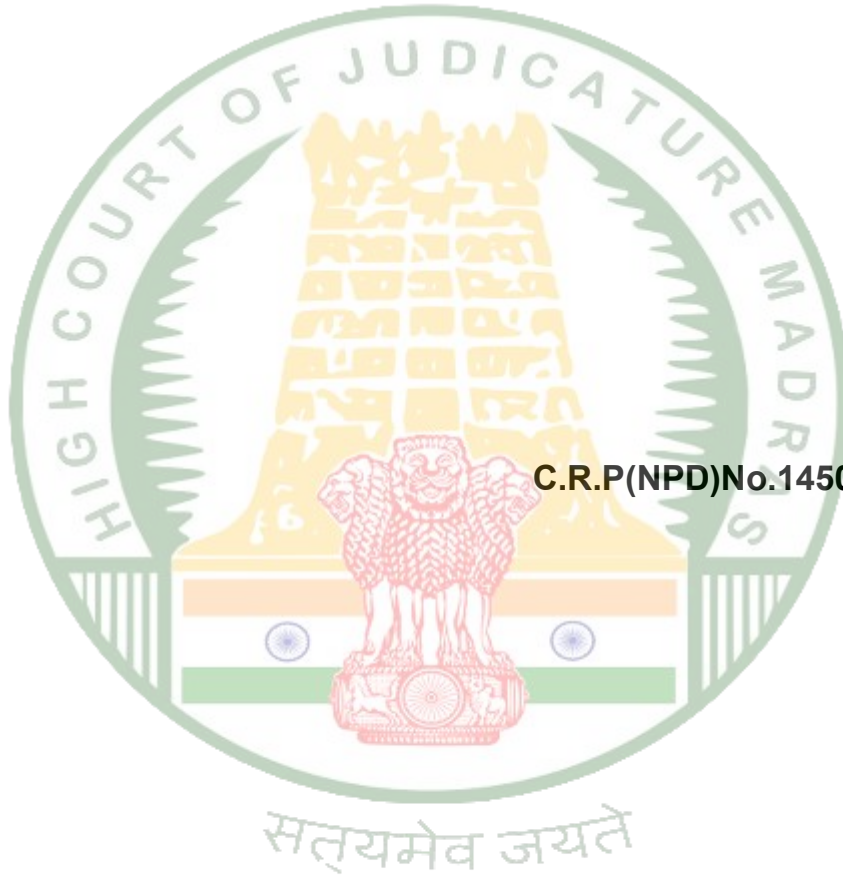
1. Sub Court, Ponneri.
- 2.The District Munsif Court, Thiruvottiyur.



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M.M.SUNDRESH,J.

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