

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 07.06.2018

Coram:

THE HONOURABLE **MR.JUSTICE P.VELMURUGAN**

C.R.P.(NPD)No.1556 of 2018

Nooruddin

M/s.Rana Tanners & Exporters,
Rana House, 100, East High Court Road,
New Ramdaspet, Nagpur.

... Petitioner

Vs.

1. M/s.Raasiga Leathers Pvt. Ltd.,
through Vinod Gandhi.

2. Vinod Gandhi

... Respondents

Civil Revision Petition has been filed under Article 227 of the Constitution of India to interfere with the administration of Execution Petition No.73 of 2013 and direct the Execution Court, the Second Sub-Ordinate at Ranipet, Vellore District to dispose the case within a stipulated time to be fixed by this Court.

For Petitioner : M/s.Gupta & Ravi

सत्यमेव जयते

ORDER

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The civil revision petition has been filed seeking direction of this Court to the EP Court for speed disposal of execution petition filed by the petitioner herein.

2 The revision petitioner filed a suit in Spl.Civil Suit No.638 of 2008 before the learned IV Joint Civil Judge, Senior Division, Nagpur, for recovery of money. The above said suit came to be decreed in favour of the revision petitioner by judgment and decree dated 22.06.2011. Thereafter, the revision petitioner, who is a decree holder, since cannot enjoy the fruits of the decree, filed an execution petition in E.P.No.73 of 2013.

3 The learned counsel for the revision petitioner would submit that there is no progress in the execution proceedings, since 2013. Even though, the revision petitioner has got judgment in his favour as early as on 22.06.2011, till now the revision petitioner could not enjoy the fruits of the judgment. Hence the revision petitioner has come forward with the present civil revision petition seeking a direction for speedy disposal of execution petition.

4 Heard the learned counsel for the petitioner and perused the materials available on record.

5 On a perusal of the records it reveal that the suit is of the year 2008 and it was decreed on 22.06.2011 in favour of the revision

petitioner. Since the revision petitioner could not enjoy the fruits of the decree, he filed execution petition which was also pending from the year 2013 without any progress.

6 No doubt, prolonging and protracting the execution petition will certainly cause serious prejudice to the decree holder. Disposal of the case within the reasonable time is principles of natural justice and at any point of time, it should not be violated. Hence the concerned EP Court is directed to dispose of the execution petition in E.P.No.73 of 2013 in accordance with law within a period of three months from the date of receipt of a copy of this order.

7 With the above direction, the civil revision petition is disposed of. No costs.

07.06.2018

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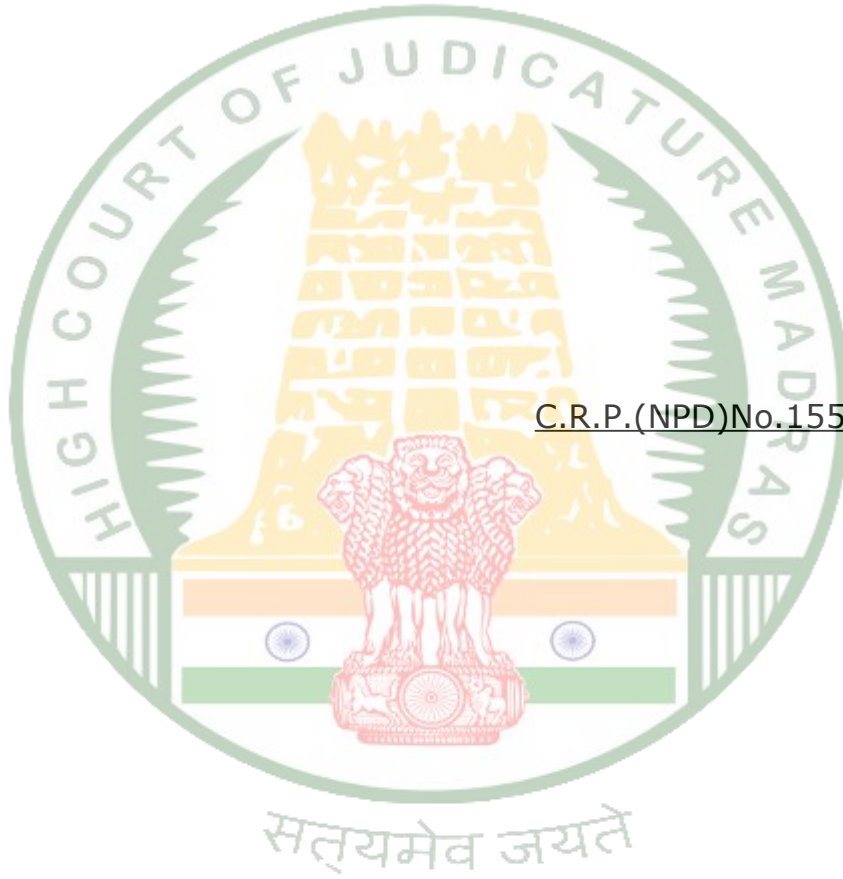
To

The II Sub-Ordinate Court, Ranipet,
Vellore District.

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P.VELMURUGAN, J.,

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