



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.10.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CRP (NPD) (MD) No.1708 of 2018
and
CMP (MD) No.7357 of 2018

S.Lakshmikanthan

... Petitioner/ Respondent

Vs.

A.Subramanian

... Respondent/Petitioner

Prayer : Civil Revision Petition is filed under Section 115 of the Civil Procedure Code, to call for the records pertaining to the fair and decreetal order in E.A No.25 of 2018 in E.P No.32 of 2011 in O.S No.34 of 2008 dated 16.07.2018 on the file of the District Munsif Court, Srivaikundam, Thoothukudi District.

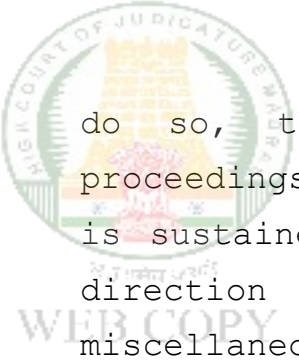
For Petitioner : Mr.I.Pinaygash

For Respondent : No appearance

ORDER

The judgment debtor is the revision petitioner herein. He suffered a money decree. The shop purchased by the revision petitioner in the year 2004 is sought to be brought for auction. The executing court fixed the value of the shop at Rs.1.50 lakhs. The plaintiff sought to reduce the upset price from Rs.1,50,000/-to Rs.50,000/-. The executing court has partly allowed the E.A No.25 of 2018 and the upset price was reduced to Rs.1.40 lakhs. The reduction in the upset price is questioned at the instance of the judgment debtor.

2.This Court is of the view that in the interest of justice, the execution proceedings can be put on hold and kept in abeyance for a period of four months from the date of receipt of a copy of this order. It is open to the revision petitioner to satisfy the decreetal liability in full in the meanwhile. If he is unable to



do so, the court below shall proceed with the execution proceedings. The order impugned in this civil revision petition is sustained. This civil revision petition is dismissed with the direction set out above. No costs. Consequently, connected miscellaneous petition is closed.

Sd/
Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar(CS-I)

To
The District Munsif, Srivaikundam, Thoothukudi District.

+1cc to Mr.I.PINAYGASH, Advocate, SR.No.89395

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