

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

**CIVIL REVISION PETITION Nos.4177, 4178 AND
4179 OF 2017**

COMMON JUDGMENT:

Heard both sides in the three revision petitions between same parties in respect of the three shops in question. The present revisions are impugning the orders of the lower appellate court respectively dated 07.07.2017 in I.A.Nos.858, 857, 859 in the three pending appeals 173, 172 and 174 of 2017, pursuant to the interim direction to deposit 50% of the arrears not deposited within the time stipulated, however shown, after filing and during pendency of these revisions, on 15.03.2018 in all the three matters by respective demand drafts 50% of the said amount stated deposited and memos filed before the lower appellate court on 16.03.2018 in Sr.Nos.2205, 2199 and 2204 of 2018.

2. A perusal of the impugned orders, though practically nothing to interfere while sitting in revision, in view of the very appeals are pending required to be decided about the entitlement of the eviction or not from impugnement of the decree and judgment of the respective trial court in the three suits, it can be considered subject to payment of all arrears with suit costs by 30.04.2018; whatever the amounts so far deposited and the suit costs can be permitted to withdraw without furnishing any security and for the remaining amount to be deposited on furnishing security and on

condition of further to deposit the regular amounts pending appeal. To that extent, in these revisions, by exercising the power under Article 227 of the Constitution of India, lower courts original orders are modified and the impugned orders are set aside. This interim arrangement supra pending appeal shall continue and any non-compliance entitles the respondents/plaintiffs decree holders to move the lower appellate court.

3. Accordingly and with the above directions, these civil revision petitions are disposed of. Miscellaneous petitions pending consideration, if any, in these cases shall stand closed in consequence. There shall be no order as to costs.

29.03.2018
SS

DR.B.SIVA SANKARA RAO, J

