

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

and

The Hon'ble Sri Justice D.V.S.S.Somayajulu

Civil Revision Petition No.487 of 2018

Dated 09.04.2018

Between:

Munnangi John Mohan

... Petitioner

and

M/s.U.B.K.Chits Pvt. Ltd.,
Labbipet, Vijayawada
Raep. By its Foreman/Manager
Ch.Srinivasa Rao and 3 others

... Respondents

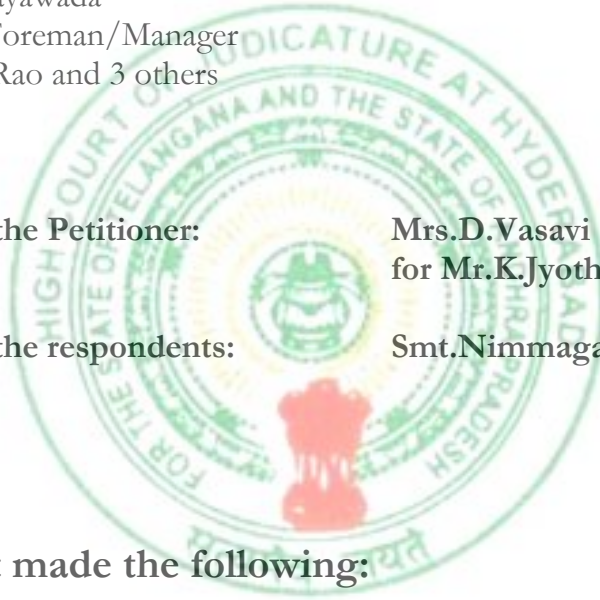
Counsel for the Petitioner:

**Mrs.D.Vasavi Ratna Kumari
for Mr.K.Jyothi Prasad**

Counsel for the respondents:

Smt.Nimmagadda Revathi

The Court made the following:



Order: (per Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This Civil Revision Petition is filed against docket order, dated 08-12-2017, in EP.No.18 of 2017 in ARB.No.120 of 2013 on the file of the VI Additional Senior Civil Judge at Vijayawada.

A perusal of the said order shows that in the aforementioned EP filed by respondent No.1 under Order XXI Rules 37 and 38 of the Code of Civil Procedure, 1908, the petitioner failed to file counter and also to pay the costs imposed on him besides not being present when the case was called on 08-12-2017. Therefore, the lower Court has issued an arrest warrant. As the EP is still pending, it is appropriate that the same is adjudicated by the lower Court on merits. However, having regard to the facts and circumstances of the case, the petitioner is permitted to appear before the lower Court on 16-04-2018 along with the counter-affidavit. On such appearance, the lower Court shall fix a date for hearing of the EP and dispose of the same on merits after hearing both sides. If the petitioner defaults in appearing before the lower Court as directed above, docket order, dated 08-12-2017, shall stand revived.

The order under revision is, accordingly, modified and the Civil Revision Petition is disposed of on the above terms.

As a sequel to disposal of the Civil Revision Petition, IA.No.1 of 2018, filed by the petitioner for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

(D.V.S.S.Somayajulu, J)

Date: 09-04-2018
lur



