

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

CIVIL REVISION PETITION No.712 of 2018

ORDER:

Seeking enforcement of a decree of permanent injunction, granted by the learned Principal District Munsif, Nandikotkur in O.S.No.11/92, dated 07.03.1996, petitioner herein filed Execution Petition, under Order XXI Rule 11 CPC, on the file of the learned Junior Civil Judge, Nandikotkur. The Court of the Junior Civil Judge, Nandikotkur returned the said E.P. on 23.01.2008 with an objection as to how the said petition is maintainable on the ground of limitation.

According to the learned counsel for the petitioner there would be no limitation period for enforcement of a decree for permanent injunction. The Court below returned the same, by way of a docket order, dated 24.01.2018, saying that the previous objections were not complied with properly.

According to the learned counsel for the petitioner, as per Section 136 of the Limitation Act, 1963, there is no limitation for filing E.P. for enforcement of decree of permanent injunction. I find sufficient force in the contention of the learned counsel, having regard to the said provision of law. Therefore, the learned Junior Civil Judge, Nandikotkur shall number the said Execution Petition and proceed in accordance with law.

Accordingly, the Civil Revision Petition is disposed of. Miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI,J

09th February, 2018
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