

\* HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN  
AND  
HON'BLE Ms JUSTICE J.UMA DEVI

+ Civil Revision Petition Nos.3868,  
3869 and 3876 of 2018

% Date: 06-9-2018

# Yarlagadda Nishnath Krishna S/o Krishna Murthy,  
Aged 26 years, Engineering Student,  
R/o Subbarao Colony, Bharathi Nagar, Vijayawada  
... Petitioner/Claim Petitioner  
Vs.

\$ 1. Sree Gokulam Chit & Finance Co. (P) Ltd.,  
D.No.27-23-30, 2<sup>nd</sup> Floor, Usha Estates,  
Gopalareddy Road, Governorpet, Vijayawada-2  
... Respondent No.1/Decree Holder

2. Y.Krishna Murthy S/o Seetharamaiah,  
Aged 61 years, R/o II Cross Road, Subbarao Colony,  
Bharathi Nagar, Vijayawada

3. Y.Suguna Mani W/o Ksirhna Murthy,  
Aged 60 years, R/o II Cross Road, Subbarao Colony,  
Bharathi Nagar, Vijayawada

4. Y.Greeshma D/o Krishna Murthy,  
Aged 29 years, R/o II Cross Road, Subbarao Colony,  
Bharathi Nagar, Vijayawada

... Respondents 2 to 4/  
Judgment Debtors 1 to 3

! Counsel for Petitioner: Mr. Shake Abdul Azeem

Counsel for Respondent No.1: Mr. K.Harihar Babu  
Counsel for Respondents 2to4: ---

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> Head Note:

? Cases referred:  
Nil.

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Common Order: (per V.Ramasubramanian, J.)

These 3 revisions arise out of the orders passed by the Executing Court refusing to restore applications that were dismissed for non-prosecution.

2. Heard Mr. Shake Abdul Azeem, learned counsel for the petitioner and Mr. K.Harihar Babu, learned counsel for the 1<sup>st</sup> respondent/award holder.

3. The 1<sup>st</sup> respondent herein secured 3 arbitration awards way back in the year 2009 and laid 3 independent execution applications in E.P.Nos.11, 12 and 13 of 2011. It appears that in the first round, the borrower resisted the execution by employing all the weapons available in the CPC. When these weapons got exhausted, the borrower went to the Consumer Court against the Finance Company.

4. After expiration of all those weapons, the petitioner herein, who is the son of the principal borrower jumped into the fray and filed 3 independent claim petitions. These claim petitions were filed in the year 2014. They were dismissed for non-compliance with conditional orders. They were restored three times. All the three times they were again dismissed for non-compliance with conditional orders.

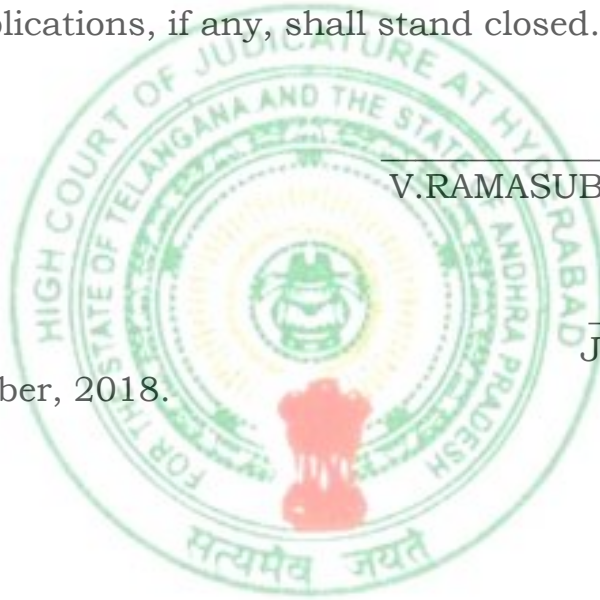
5. After the dismissal of the 4<sup>th</sup> application for restoration, the petitioner has come up with the above revisions.

6. The events that they happened in these cases show that the claim petitions filed in the year 2014 were dismissed three times for non-prosecution and non-compliance with the conditional orders. This is the 4<sup>th</sup> time. Therefore, no mercy can be shown to the petitioner and no more indulgence can be shown. Hence, the civil revision petitions are dismissed. Pending applications, if any, shall stand closed. No costs.

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V.RAMASUBRAMANIAN, J.

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J.UMA DEVI, J.

06<sup>th</sup> September, 2018.  
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AND  
HON'BLE Ms. JUSTICE J.UMA DEVI

Civil Revision Petition Nos.3868,  
3869 and 3876 of 2018  
(per VRS, J.)



06<sup>th</sup> September, 2018.  
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