

THE HON'BLE SRI JUSTICE SANJAY KUMAR

CIVIL REVISION PETITION NO.1568 OF 2018

O R D E R

This civil revision petition is sought to be maintained by the second defendant in O.S.No.88 of 2018 on the file of the learned XIII Additional District and Sessions Judge-cum-Commercial Court, Ranga Reddy District at L.B.Nagar. The plaintiff therein, the first respondent in this civil revision petition, filed I.A.No.125 of 2018 in the said suit seeking attachment of the suit schedule property or in the alternative, furnishing of security for the suit amount of Rs.1.00 crore, pending judgment.

By order dated 25.01.2018, the trial Court directed the defendants to show cause, under Order 38 Rule 5 CPC, as to why security should not be furnished by them for the suit claim of Rs.1.00 crore within a time frame. Aggrieved by this order, the second defendant is before this Court under Article 227 of the Constitution.

Sri Gade Venkateswara Rao, learned counsel for the petitioner/second defendant, would inform this Court that his client already submitted her affidavit dated 26.02.2018 in response to the aforestated show-cause notice dated 25.01.2018.

If that be so, it is for the petitioner to explain the reasons as to why she is not liable to be proceeded against even at the interlocutory stage. No cause is made out for this Court to interfere at this stage of the proceedings when the petitioner/second defendant is yet to explain her stand to the trial Court.

The civil revision petition is devoid of merit and is accordingly dismissed. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

23rd MARCH, 2018

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