

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

CIVIL REVISION PETITION No. 1591 of 2018

ORDER:

The present Civil Revision Petition came to be filed questioning the procedure adopted by the trial Court in proceeding with the auction of the property in dispute, though the E.A. filed by the third party vide E.A.No.20 of 2018 is pending consideration before the said Court.

2. Learned counsel for the respondents would submit that the allegation of the petitioner that E.A.No.20 of 2018 is pending is incorrect. According to him, the same was allowed on 06.02.2018.

3. Learned counsel for the petitioner would submit that the application that was allowed on 06.02.2018 is E.A.No.2 of 2018, filed by the decree holder, which has nothing to do with E.A.No.20 of 2018, filed by the claimant/ petitioner.

4. In view of the rival contentions made, both the parties agree that the Civil Revision Petition may be disposed of directing the trial Court to dispose of E.A.No.20 of 2018, if it is still pending consideration, in accordance with law and till the said E.A. is disposed of, the trial Court may be directed not to proceed with the sale.

5. Having regard to the above, the Civil Revision Petition is disposed of directing the trial Court to dispose of E.A.No.20 of 2018 on its file, if not already disposed of, in accordance with law, at the earliest. It is made

clear that till E.A.No.20 of 2018 is disposed of, if not already disposed of, there shall not be any confirmation of sale. No costs.

6. As a sequel thereto, Miscellaneous Petitions pending if any in this Civil Revision Petition, shall stand closed.

20.04.2018  
vnb

C. PRAVEEN KUMAR, J

