

CIVIL REVISION PETITION No.4047 of 2017

ORDER:

This revision is filed by the petitioner/defendant No.1, aggrieved by the order dated 06.07.2017 in I.A.No.581 of 2016 in O.S.No.314 of 2014 passed by the III Senior Civil Judge, City Civil Court, Secunderabad.

2. Heard both sides and perused the material on record including grounds of the revision and the impugned order.

3. The very affidavit of the petitioner, as observed by the lower Court speaks of summons affixed to the door particularly at para-4 lines 3 and 4, it is not clarified as to it is affixed in E.P. and not in the suit summons. In the absence of such clarification, he cannot take advantage even from what the Court summons returned unserved from the door locked of further observation if any of the lower Court in the order at para-5 middle and para-4, line 2, no doubt, there is a mistake in the numerical mention in chronological order in mention of after para-6 as para-4, of affixed, though a perusal of the Court precisely served summons shows no such affixture but return. Even there from, there is nothing to interfere with the order of the lower Court, but for, to grant time to vacate the premises from the understanding on or before 31.12.2018 by securing alternative accommodation, which is subject to payment of all arrears in four equal monthly installments. The first installment of 25% to be paid before the

end of January, 2018, second installment before the end of February, 2018, third installment before the end of March, 2018 and the balance before the end of April, 2018 and to pay regularly later and any non-payment will entitles eviction forthwith without waiting to the period upto December, 2018. It is made clear that further extension cannot be sought at any cost from the undertaking to vacate on or before 31.12.2018.

4. With the above observations and by recording the above submission, the Civil Revision Petition is disposed of.

5. Consequently, miscellaneous petitions, if any shall stand closed. No order as to costs.

Date: 04.01.2018

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JUSTICE Dr. B.SIVA SANKARA RAO

