

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CIVIL REVISION PETITION No.3876 OF 2017

ORDER:

This Civil Revision Petition is filed under Article 227 of the Constitution of India assailing the docket order dated 05.07.2017 passed in O.S.No.73 of 2006 on the file of the Court of the Additional Junior Civil Judge at Vizianagaram.

2. At the time of arguments, learned counsel for both parties submitted that the trial Court has not given a specific finding with regard to particular months in which the petitioners-tenants committed default in payment of rent, more particularly, from August, 2015. Learned counsel for both parties, in one voice, submitted that the matter may be remanded to the trial Court to pass orders afresh.

3. In view of the submission made by the learned counsel for both parties, this Court is not inclined to go into the merits of the main case.

4. In the result, the Civil Revision Petition is allowed, setting aside the docket order dated 05.07.2017 passed in O.S.No.73 of 2006 on the file of the Court of the Additional Junior Civil Judge at Vizianagaram and remanding the matter to the trial Court. The trial Court is hereby directed to pass orders, after affording a reasonable opportunity to both parties, in the light of Order XV-A C.P.C., as expeditiously as possible, preferably within a period of one (1) month from the date of receipt of a copy of this order. There shall be no order as to costs.

5. Consequently, Miscellaneous Petitions, if any, pending in this Civil Revision Petition shall stand closed.

T.SUNIL CHOWDARY, J

Date: 27.11.2018
Ivd

