

HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

CIVIL REVISION PETITION No.2919 OF 2018

ORDER:

This revision petition is filed questioning the order, dated 09.03.2018, passed in I.A.No.2064 of 2017 in R.C.C.No.16 of 2014 on the file of Principal Junior Civil Judge, Kakinada, wherein, the application filed by the petitioners seeking to condone the delay of 34 days in depositing the rents, as ordered by the Court below, was dismissed.

2. Heard.

3. The facts in issue show that pending the R.C.C., filed for eviction of the petitioners – tenants from the suit schedule premises, the petitioners filed R.C.C.No.16 of 2014 seeking permission of the Court to deposit the rents due in the Court, which are from June, 2013 till the disposal of the R.C.C. The same was allowed on 18.07.2017 directing the petitioners to deposit the arrears of rent from June, 2013 till the date of order within a period of one month from the date of the order. However, the petitioners failed to deposit the amount within the time prescribed. Hence, the present I.A.No.2064 of 2017 came to be filed by the petitioners seeking condonation of delay in depositing rents. The Court below rejected the request of the petitioners, which is challenged in the present revision.

4. As seen from the above, delay in depositing the rents made the petitioners to file an application seeking to condone the delay. It is no doubt true that there is delay in depositing the amounts. But, having regard to the fact that the delay is only 34 days and taking into consideration the facts and circumstances of the case, more particularly the pendency of R.C.C. filed for eviction, this Court is of the opinion that it would be just and proper to condone the delay in depositing the rents.

5. Accordingly, the Civil Revision Petition is allowed permitting the petitioners to deposit the arrears of rent till date within a period of one week from 24.07.2018, in default, the interim order granted on 08.06.2018 stands vacated.

Miscellaneous Petitions, if any, pending in this Civil Revision Petition shall stand closed. There shall be no order as to costs.

JUSTICE C.PRAVEEN KUMAR

July 20, 2018

Note: Issue C.C. by 24.07.2018.
B/O.MD

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