

HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN

Civil Revision Petition No.3019 of 2018

ORDER:

Aggrieved by the non-disposal of his application for condoning the delay in seeking to set aside the *ex parte* decree, the defendant in a suit for specific performance has come up with the above revision.

2. Heard Mr. Sai Gangadhar Chamorthy, learned counsel for the revision petitioner.

3. The suit was one for specific performance of an agreement of sale. The petitioner was set *ex parte* and a decree passed on 13-08-2015. The petitioner seems to have filed an application for setting aside the *ex parte* decree, after the delay of 519 days. The application in I.A.No.1734 of 2017 filed under Section 5 of the Limitation Act is not disposed of for the past more than one year. But it appears that the execution is proceeding.

4. Therefore, the Civil Revision Petition is disposed of directing the trial Court to dispose of I.A.No.1734 of 2017 in accordance with law, after affording reasonable opportunities to both the parties, within a period of six (6) weeks from the date of receipt of a copy of the order.

As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

V. RAMASUBRAMANIAN, J

Date: 08-06-2018

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