

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CIVIL REVISION PETITION No.3317 OF 2018

ORDER:

The present revision petition, under Article 227 of the Constitution of India, is filed aggrieved over the docket order, dated 15.09.2017, passed in I.A.No.131 of 2017 in O.S.No.129 of 2014 on the file of learned Principal Senior Civil Judge, Kothagudem.

2. Heard Sri R.R. Kalyan, learned counsel for the revision petitioner.

3. The grievance of the revision petitioner is that despite ordering attachment of his salary, the learned Principal Senior Civil Judge at Kothagudem, kept pending I.A.No.131 of 2017 filed under Section 5 of the Limitation Act, 1963, seeking condonation of delay of 530 days in filing an application for setting aside the *ex parte* decree passed against him in the suit.

4. The revision petitioner has filed certified copy of the case status report in I.A.No.131 of 2017. In fact, on 15.09.2017, fresh notice to the respondent on payment of batta was ordered, while directing the office to list the I.A. on 27.10.2017. On 27.10.2017, when the matter was called, what was written is only "Call on 03.11.2017." Later, the order shows "PNR. Call on 05.1.2018". Thereafter, only dates were given.

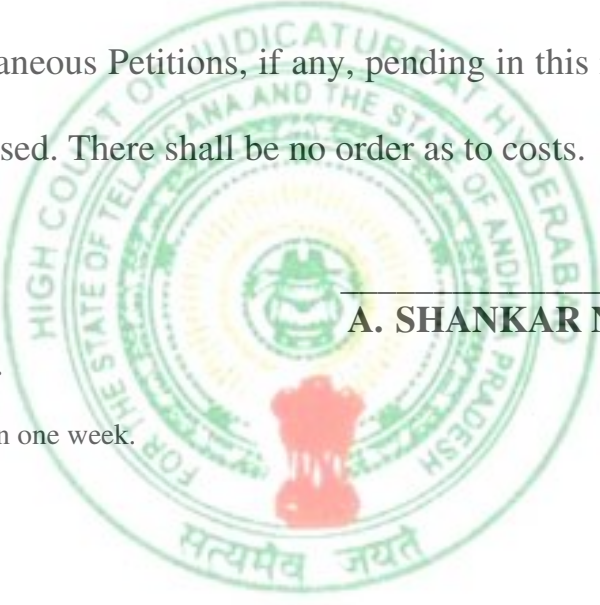
5. The Court below ought to have disposed of the I.A. rather than adjourning it, which would have determined the fate of the attachment order passed. Therefore, a direction can be given to the Court below to dispose of I.A.No.131 of 2017 expeditiously.

6. Accordingly, the Civil Revision Petition is disposed of directing the Court below to dispose of I.A.No.131 of 2017 in O.S.No.129 of 2014 within a period of one month from the date of receipt of a copy of this order.

Miscellaneous Petitions, if any, pending in this revision petition shall stand closed. There shall be no order as to costs.

June 15, 2018.

Note: Issue C.C. in one week.
B/O.MD

**A. SHANKAR NARAYANA, J**