

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CIVIL REVISION PETITION No.4612 OF 2018

ORDER:

This Civil Revision Petition is filed under Section 115 of C.P.C. assailing the order dated 07.03.2018 passed in E.P.No.96 of 2009 in O.S.No.262 of 2006 on the file of XII Additional Chief Judge, City Civil Court, Secunderabad.

2. Heard the learned counsel for the petitioner and perused the material available on record.

3. A perusal of the record reveals that the petitioner filed O.S.No.262 of 2006 for mandatory injunction and the same was decreed on 24.07.2006. The petitioner filed E.P.No.96 of 2009 in O.S.No.262 of 2006 on the file of XII Additional Chief Judge, City Civil Court, Secunderabad. During pendency of the E.P., the third parties filed E.A.No.4 of 2014, under Order XXI Rule 58 C.P.C. and the same was allowed. In view of allowing of claim petition, the Executing Court dismissed the E.P. Hence, the revision.

4. After allowing of the claim petition, nothing will remain in the execution petition. The Executing Court rightly dismissed the E.P. There is no illegality, irregularity or impropriety in the order passed by the Executing Court warranting interference of this Court.

5. Accordingly, the Civil Revision Petition is dismissed. There shall be no order as to costs.

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

T.SUNIL CHOWDARY, J

Date: 13.08.2018
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