

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

CIVIL REVISION PETITION No.4021 OF 2018

ORDER :

This Civil Revision Petition is filed aggrieved by the action of the Court below in entertaining E.A.No.118 of 2018 in E.P.No.323 of 2015 in O.S.No.411 of 2011.

Learned counsel for the petitioner submits that the application filed by the 1st respondent/third party is not maintainable under Order 21 Rules 99, 100 and 104 of CPC as already application filed by him under Order 21 Rule 58 is returned.

Learned counsel for the petitioner trying to argue on the merits of the case. As on today, no order is being passed on the application filed by the 1st respondent by the Court below. Instead of raising all the objections raised herein before the executing Court, he straight away filed this Revision Petition.

In view of above, I am not inclined to entertain the Civil Revision Petition and accordingly, the same is dismissed. However, the executing Court shall consider all the objections raised by the petitioner and dispose of the application filed by the 1st respondent as expeditiously as possible.

There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, shall stands dismissed.

A.RAJASHEKER REDDY, J

28.09.2018
kvs

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kvs