

THE HON' BLE SRI JUSTICE C.PRAVEEN KUMAR

CIVIL REVISION PETITION No.4230 of 2018

ORDER:

1) The present Civil Revision Petition came to be filed under Article 227 of the Constitution of India, questioning the order of stay granted by the V Additional District Judge, East Godavari District at Rajamahendravaram, in I.A.No.227 of 2018 in A.S.No.59 of 2018.

2) Originally the petitioner/plaintiff filed O.S.No.342 of 2012 seeking eviction of the respondent/defendant from the premises mentioned in the schedule. Vide judgment dated 19.01.2018, the trial Court decreed the said suit holding that the plaintiff is entitled for eviction of the plaint schedule property and that she is also entitled for an amount of Rs.15,200/- for use and occupation of the property. The trial Court directed the defendant to deliver possession of the plaint schedule property to the plaintiff and also directed to pay Rs.15,200/- within three months. Challenging the same, A.S.No.59 of 2018 came to be filed. Pending appeal, vide order dated 24.03.2018 in I.A.No.227 of 2018, the appellate Court granted interim stay of the execution of judgment and decree in O.S.No.342 of 2012, on a condition to deposit suit

costs and Rs.15,200/- in the trial Court. Challenging the order of stay, the present Civil Revision Petition is filed.

3) It is to be noted that if the petitioner is aggrieved by the stay granted by the appellate Court, it is open to her to make an application before the said Court, for vacating the stay or get the appeal disposed of at the earliest.

4) The learned counsel for the petitioner is not in a position to point out the illegality or impropriety or incorrectness of the order, except seeking a direction to the appellate Court for early disposal of the matter. Hence, I see no reason to interfere with the impugned order.

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

6) As a sequel thereto, Miscellaneous Petitions pending if any, shall stand closed.

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JUSTICE C.PRAVEEN KUMAR

27.07.2018

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