

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CIVIL REVISION PETITION No.4924 of 2018

ORDER:

Heard before admission.

The revision petitioner is the 2nd opponent among 6 opponents to the chit fund claim before the Registrar of Chits. It is impugning the order in Dis.No.131 of 2016 of the Deputy Registrar of Chits, Nellore dated 16.03.2018 saying there is no need to set aside the order and if at all aggrieved there is remedy for appeal, the revision is maintained.

As referred in the order dated 28.08.2018 in CRP.No.4582 of 2018 there is no specific provision to maintain an application under Order 9 Rule 13 CPC and thereby the application under Order 9 Rule 13 CPC won't lie. Once such is the case, there is nothing to interfere with the impugned order of the learned Deputy Registrar of Chits but for to file appeal if at all chosen to file within 15 days from the date of receipt of this order to entertain without reference to the limitation.

So far as the contention that the EP is to be filed before the learned Senior Civil Judge if at all and not before the District Court for admittedly Arbitration Act provisions have no application, is left open to raise if at all any application before the executing Court to consider that aspect among other defences available within the scope of law if any.

Accordingly and in the result, this Civil Revision Petition is dismissed.

Miscellaneous petitions, if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 31.08.2018
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