

HONOURABLE SRI JUSTICE U.DURGA PRASAD RAO

Civil Revision Petition No.4620 of 2018

ORDER:

Heard learned counsel for petitioner.

2) The grievance of the petitioner appears to be that he filed A.S.No.8 of 2018 before the II Additional District Judge, Suryapet, challenging the decree and judgment in O.S.No.90 of 2016 passed by the Junior Civil Judge, Kodad. Along with appeal, he also filed I.A.No.____/2018 seeking stay of execution of the decree in O.S.No.90 of 2016, which is a money decree. The said I.A. was neither numbered nor returned for compliance of any objections. Learned counsel for petitioner would submit that without doing either of the aforesaid acts, the office of the II Additional District Court, Suryapet, kept the said I.A in abeyance and thus sought for suitable orders.

3) As can be seen from the submission of learned counsel for petitioner, the non-processing of I.A.No.____/2018 either in giving number to the said petition or returning for compliance of certain office objections, certainly amounts to non-exercise of jurisdiction vested in the Court, warranting the indulgence of this Court in exercise of its powers under Article 227 of the Constitution of India.

4) Accordingly, the Court of II Additional District Judge, Suryapet, is directed to process the unnumbered I.A.No._____/2018 and pass suitable orders on merits thereon expeditiously.

5) This Civil Revision Petition is ordered accordingly.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

U. DURGA PRASAD RAO, J

Date: 10.08.2018

Note: Registry is directed to send a copy of this order to the concerned Court immediately.

(b/o)
SCS

