

SMT JUSTICE T. RAJANI

CIVIL REVISION PETITION No.5878 of 2018

ORDER:

This revision is filed seeking to set aside the docket order dated 28.04.2018 in EA.No.--- of 2018 in EA.No.70 of 2017 in EP.No.96 of 2015 in OS.No.247 of 2011 by virtue of which the Court below returned the claim petition on the ground that the objection dated 05.07.2018 taken by the Court below was not answered.

2. Heard the counsel for the petitioner. None appears for the respondents.

3. The counsel for the petitioner submits that with regard to the return made on 05.07.2018, a detailed representation was given on 11.07.2018 but the Court below did not consider the same and again returned the unnumbered EA on the same grounds.

4. Hence, in view of the above, this Court opines that it would suffice to direct the Court below to consider the representation dated 11.07.2018, which was made in respect of return made on 05.07.2018 and pass a fresh order on the said representation. If the representation is accepted, the Court below is directed to number the EA.

The civil revision petition is allowed. As a sequel, the miscellaneous applications, if any pending, shall stand closed.

November 30, 2018
DSK

T. RAJANI, J