

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

CIVIL REVISION PETITION No.6031 of 2017

O R D E R :

This revision is filed against the order dated 04-10-2017 passed in EP.No.56 of 2008 in O.S.No.198 of 2006, wherein the Court below allowed the EP and directed the petitioners/JDRs to pay the EP amount with costs to the decree-holder (D.Hr)/respondent on or before 31-10-2017, failing which the matter was directed to be posted for settlement of sale terms on 31-10-2017.

The only plea taken by the petitioners is that deceased/J.Dr has no saleable interest in the petition schedule property. The Court below after considering the rival contentions held that the respondent/decreet-holder successfully proved the saleable interest of the J.Drs in the petition schedule property. More so, no contra evidence is brought to my notice rebutting the same and no infirmity is brought to my notice in the impugned order.

In view of the same, I do not see any reason to interdict the impugned order passed by the Court below by exercising power under Section 115 of C.P.C.

However, as this Court granted interim order on 30-11-2017 on condition of deposit of 50% of the decretal amount, it is stated by both counsel that the said order has been complied with. Learned counsel for the petitioners says

that the revision can be disposed of by granting some instalments for paying the balance amounts.

Learned counsel for the respondent/decreed-holder opposes the same.

In view of the facts and circumstances of the case, the revision is disposed of, permitting the petitioners to deposit the balance amounts within a period of three months (03) from today. Failing which, it is open for the respondent/decreed-holder to execute the decree. Request for extension of further time also will not be entertained.

As a sequel thereto, miscellaneous petitions, if any, pending in this revision, shall stand closed.

05-03-2018
Nvl

A.RAJASHEKER REDDY, J

