

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

CRP No.6327 of 2017

ORDER:

1 This Civil Revision Petition is filed under Section 151 CPC assailing the order dated 21.09.2017 passed in E.A.No.2 of 2017 in E.P.No.4 of 2015 on the file of the Family Court, Ranga Reddy District at L.B.Nagar.

2 Heard the learned counsel for both parties.

3 The point that arises for consideration is “whether there is any illegality, irregularity or impropriety in the impugned order?”

4 A perusal of the record reveals that the executing court dismissed E.A.No.2 of 2017 on the sole ground that the petitioner was absent on a particular day. If no opportunity is given to the petitioner, it may not be possible for him to ventilate his legitimate and legal grievance. Even if the petition is allowed, the same may not cause any prejudice to the respondent.

5 Taking into consideration the facts and circumstances of the case, this court is of the considered view that this is a fit case to allow the Civil Revision Petition.

6 In the result, the Civil Revision Petition is allowed, the order dated 21.09.2017 passed in E.A.No.2 of 2017 in E.P.No.4 of 2015 on the file of the Family Court, Ranga Reddy District at L.B.Nagar is hereby set aside and the matter is remanded to the executing court. The executing court is hereby directed to dispose of E.A.No.2 of 2017 in E.P.No.4 of 2015 as expeditiously as possible, preferably, within a period of three months from the date of receipt of a copy of this order. If the petitioner-J.Dr fails to cooperate with the executing court, the

executing court is at liberty to pass orders in accordance with law. No order as to costs. As a sequel, miscellaneous petitions, if any pending in this Civil Revision Petition shall stand closed.

T.SUNIL CHOWDARY, J

Date: 20.12.2018

Kvsn

