

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CIVIL REVISION PETITION No.6729 of 2017

ORDER :

Heard both sides.

Undisputedly, from the Division Bench judgment dt.13.11.2013 in LPA No.183 of 2001 of this Court, in the operative portion it is very clearly stated that it shall be open to the 6th defendant and the purchasers of the 6th defendant to work out their remedies by instituting separate proceedings, while dismissing the LPA holding that the plaintiff is absolute owner of the property and even if D.6 had acquired any rights in the joint family properties, they stand devolved upon the plaintiff.

Once such is the case, apart from no notice contemplated before ordering delivery by the executing Court unless it is shown that the decree is more than two years old as contemplated by Rule 22 of Order XXI, there is nothing to interfere with the lower Court's order in execution proceedings of delivery by now already effected and recorded and proceedings once terminated but for to work out pursuant to the said observations any rights available under law.

With these observations, the revision is disposed of. Miscellaneous petitions pending, if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.05.01.2018.

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