

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

C.R.P.No.7101 of 2017

ORDER

This revision under Section 115 of CPC is filed questioning the order dated 20.11.2017 passed in E.P.No.13 of 2017 in O.P.No.44 of 1997 by the I Senior Civil Judge, City Civil Court, Hyderabad.

2. The petitioner - Food Corporation of India is J.Dr.No.2 in O.P.No.44 of 1997 on a reference under Section 18 of Land Acquisition Act. An award was passed by the II Additional Senior Civil Judge, Ranga Reddy District at L.B.Nagar, enhancing the compensation awarded by the Land Acquisition Officer. Based on the said award, E.P.No.13 of 2017 is filed under Order 21 Rules 43 and 64 of C.P.C., by the decree holders to realise the award amount at the enhanced rate. By order dated 20.11.2017, the Court below ordered to issue a warrant of attachment in E.P.No.13 of 2017. But, as per the order in LAAS MP No.1389 of 2017 in LAAS No.567 of 2017, the Division Bench of this Court granted interim stay while ordering personal notice to the respondents. The said order was passed on 22.01.2018 and as on today, the stay is in force. Therefore, during subsistence of stay, the respondents are not entitled to proceed with the execution.

3. Hence, the Civil Revision Petition is allowed, setting aside the order impugned. However, liberty is given to the respondents to renew their request by filing a separate execution petition, if the stay granted by the Division Bench of this Court in LAAS MP No.1389 of

2017 in LAAS No.567 of 2017 is vacated. No order as to costs.
Miscellaneous petitions, if any, pending in this revision shall stand closed.

M. SATYANARAYANA MURTHY, J

20th February, 2018

sj

