

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION No.2298 of 2019

ORDER:

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed by the petitioners/judgment debtors, requesting to set aside the execution proceedings, dated 15.06.2019, in E.P.No.27 of 2019 in O.S.No.81 of 2018 pending on the file of the V Additional District Judge at Bhongir.

2. Heard the learned counsel for the revision petitioners/judgment debtors and perused the record.

3. The learned counsel for the revision petitioners/judgment debtors would contend that an *ex parte* decree was passed for specific performance of contract, i.e., for registration of sale deed in favour of the respondent/plaintiff. The said decree is being executed now. The revision petitioners/judgment debtors have filed an application to set aside the said *ex parte* decree and ultimately prayed to set aside the execution proceedings, dated 15.06.2019, in E.P.No.27 of 2019 in O.S.No.81 of 2018 pending on the file of the V Additional District Judge at Bhongir.

4. In the given circumstances, the revision petitioners/judgment debtors have to seek appropriate relief

from the Court, which passed the *ex parte* decree. As far as the subject execution proceedings in E.P.No.27 of 2019 in O.S.No.81 of 2018 pending on the file of the V Additional District Judge at Bhongir, are concerned, they are being initiated to execute the subsisting decree, dated 03.12.2018, passed in O.S.No.81 of 2018 by the Court below. No case is made out by the revision petitioners/judgment debtors to grant the relief sought by them. The Civil Revision Petition is devoid of merit and is liable to be dismissed.

5. Accordingly, the Civil Revision Petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Civil Revision Petition, shall stand closed.

Dr. SHAMEEM AKTHER, J

27th November, 2019
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