

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2020

C O R A M

THE HONOURABLE MR.JUSTICE M. GOVINDARAJ

C.R.P (NPD) No.1022 of 2020
and C.M.P.No.5601 of 2020

T.S.Vijayakumar Petitioner

Vs.

Margadarsi Chits Private Limited,
Represented by its Foreman
N.Ankaiah
No.352, II Floor,
Brough Road, Erode District. Respondent

PRAYER: Civil Revision Petition filed under Section 115 of C.P.C. to set aside the fair order and final order dated 22.01.2020 made in E.A.No.1 of 2019 in E.P.No.207 of 2017 in A.R.C.No.74 of 2013 on the file of the I Additional Subordinate Judge, Erode, and dispose of the same in accordance with law by appreciating the above said facts and circumstances.

For Petitioner : Mr.C.Ramaraj
for Mr.M.Guruprasad

For Respondent : Mr.D.Shivakumaran

ORDER

The Civil Revision Petition has been preferred against the order passed by the Execution Court in E.A.No.1 of 2019 in E.P.No.207 of 2017 in A.R.C.No.74 of 2013 on the file of the I Additional Sub Court, Erode, dismissing the petition filed to condone the delay of 124 days in setting aside the *ex parte* order.

2. Now that, when the matter is taken up for hearing, the learned counsel for the respondent would submit that he has no serious objection in allowing the Civil Revision Petition, but, seeks a direction for early disposal of the execution petition.

3. Considering the submission made by the learned counsel for the respondent, the order passed by the Execution Court in E.A.No.1 of 2019 in E.P.No.207 of 2017 in A.R.C.No.74 of 2013 dated 22.01.2020 is set aside and the delay of 124 days in filing the execution application under Order XXI Rule 106 of Civil Procedure Code is allowed.

4. In view of the above, a direction is given to the petitioner to participate in the execution proceedings and the Execution Court is directed to dispose of the Execution Petition in E.P.No. 207 of 2017 within a period of three months from the date of resumption of physical hearing of the Courts.

With the above terms, this Civil Revision Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

15.09.2020

ms/asi

To

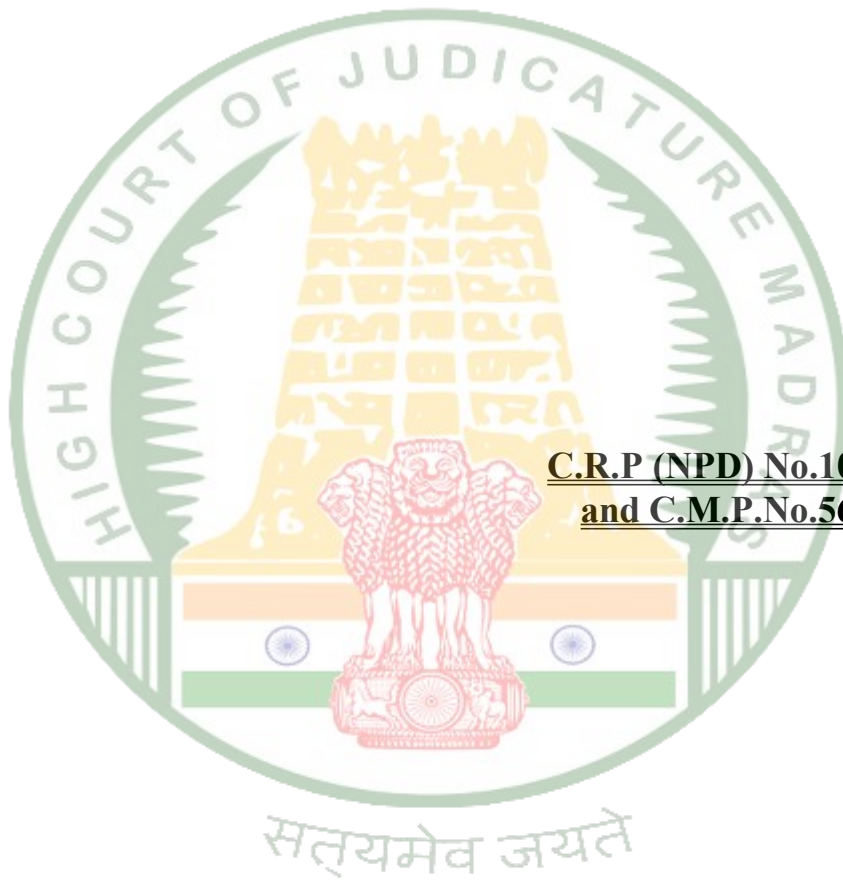
The I Additional Subordinate Judge,
Erode.

WEB COPY

CRP (NPD) No.1022 of 2020
and C.M.P.No.5601 of 2020

M.GOVINDARAJ, J.

ms/asi



C.R.P (NPD) No.1022 of 2020
and C.M.P.No.5601 of 2020

WEB COPY

15.09.2020