

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2021

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

C.R.P.(NPD) No. 1136 of 2018

M/s.Bharat Heavy Electricals Limited,
Rep by its AGM (P & MS)
Boiler Auxiliaries Plant,
Ranipet – 632 406

... Petitioner

Vs

1.M/s.Commercial Road Carriers,
Proprietor R.Murugesan
Mettu Dam – 636 452.

2.The Manager,
Indian Banj,
Mettur Dam Branch,
Salem District – 636 401

... Respondents

Prayer :- Civil Revision Petition is filed under Section 115 of CPC to direct the Principal District Judge at Salem to number E.P. (Unfiled) CFR No.10018 of 2017 and dispose the same.

For Petitioner : Mr.Srinath Sridevan

ORDER

This Civil Revision Petition has been filed to direct the Principal District Judge, Salem to number E.P. (Unfiled) CFR No.10018 of 2017 and dispose the same.

2. The Civil Revision Petition was posted for admission on 22.03.2018, at the request of the learned counsel for the petitioner, it was adjourned. Today, when the matter is listed under the caption for "adjourned admission", the learned counsel for the petitioner sought for adjournment.

3. In view of the above, it clearly shows that the learned counsel for the petitioner has no interest in proceeding with the case further. Further, the Civil Revision Petition is pending for the past three years, without even admitting the same or ordering notice. Therefore, this Court is not inclined to entertain this petition. Accordingly, the Civil Revision Petition is dismissed. However, the petitioner is at liberty to re-present the Execution Petition before the Court below, in the light of the Judgment reported in **2014 (11) SCC 619** in the case of **Executive Engineer, Road**

Development Division No.III, Panvel and Ors Vs. Atlanta. No costs.

Consequently connected miscellaneous petition is closed.

18.06.2021

lpp
Index: Yes/No
Internet: Yes/No
Speaking Order: Yes/No

To
The Principal District Judge,
Salem



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C.R.P.(N.P.D).No.1136 of 2018

G.K.ILANTHIRAIYAN.J,

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