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C.M.P.No. 19659 of 2024

in

C.R.P.No. 3235 of 2024

V. LAKSHMINARAYANAN, J.

The ground on which the vacate stay petition has been filed is that caveat had been presented and the civil revision petitioner had obtained the order of stay without serving the caveator. There is no bar for a Court to grant an interim order, during the pendency of the caveat. The only bar being in terms of Section 148 A of the Code of Civil Procedure is that the caveator has to be served with notice and would have to be heard.

2. In the facts of the present case, the caveat that had been filed had been returned. Therefore, the civil revision petitioner cannot be accused for having obtained the order suppressing the caveat.



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3. I do not find any reason to vacate the stay granted in C.M.P.No.17310 of 2024 dated 12.08.2024. Accordingly, the vacate stay petition stands dismissed.

12.09.2024

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