

HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

MAIN CASE No.C.R.P. (SR).No.8107 of 2026

PROCEEDING SHEET

Sl.No.	DATE	ORDER	Office Note
01.	17.04.2026	<u>RRR, J</u> The respondent herein had moved E.P.No.22 of 2025, before the learned Civil Judge (Senior Division), Gurazala, against the petitioner for execution of the decree obtained by the respondent, for specific performance, on an agreement of sale, relating to an immovable property. In the course of this execution petition, the respondent sought execution of a registered deed of sale, under Order XXI Rule 34 of C.P.C.. This request was disputed by the petitioner herein, on the ground that, Order XXI Rule 34 of C.P.C., required the Court to send a copy of the draft document for raising objections, if any. It was contended that, since such a draft document, has not been served, on the petitioner, no further orders could be issued for execution of such a deed of sale. This contention was rejected by the Executing Court and the petitioner has approached this Court, by way of a Revision Petition.	

		The Registry has taken an objection that, a Civil Miscellaneous Appeal would be maintainable against an Order, under Order XXI Rule 34 of C.P.C. and a Revision Petition would not be maintainable. The said objection is challenged by the petitioner, under Rule 1 (i) of Order XLIII provided for an Appeal against: an Order under Rule 34 of Order XXI on an objection to the draft of a document or of an endorsement”. In the present case, order, impugned in the Revision Petition, is not an order on an objection to the draft of a document or an objection to an endorsement. In such circumstances, an Appeal would not be maintainable, under Rule 1(i) of Order XLIII of C.P.C. Accordingly, office objection is over ruled. Post on 24.04.2026, in the ‘Motion List’. <u>RRR,J</u> KPV	
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