



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[2605]

FRIDAY ,THE TWELFTH DAY OF JULY
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE U.DURGA PRASAD RAO

CIVIL REVISION PETITION NO: 1493/2024

Between:

Akula Rama

...PETITIONER

AND

Gundubolu Sankara Rao

...RESPONDENT

Counsel for the Petitioner:

1.MSVS SUDHA RANI

Counsel for the Respondent:

1.

The Court made the following order:

I.A. No.1 of 2024

Heard Sri K.A.Narasimham, learned counsel, representing Smt.MSVS Sudha Rani, learned counsel for the Petitioner.

His submission is that in earlier E.P. No.195 of 2006 filed by the respondent/DHR, the Court Amin found E.P. schedule property was not tallied and returned the warrant and the E.P. was dismissed for default on 12.10.2011 and the respondent/DHR filed another E.P. No.113 of 2004 and the same was also dismissed for default for non-prosecution and now the present E.P. No.212 of 2022 was filed with the same boundaries and description, but this time the E.P. was ordered by the Executing Court inspite of the objections of the JDR that in earlier E.P. No.195

of 2006, the Amin found that the E.P. schedule property was not tallied on ground.

Challenging the order dated 09.05.2024 in E.P. No.212 of 2022, the present CRP is filed.

Thus, the submission of the counsel is that when the E.P. schedule property is not tallied on ground, the D.Hr owes a responsibility to explain the reason for differences in the E.P. schedule and on ground schedule. However, such an effort was not made by the D.Hr, but unfortunately, the delivery was ordered. On this ground, learned counsel sought for stay of the impugned order.

The argument raised by the learned counsel for petitioner needs detailed hearing after respondent puts his appearance. Therefore, while permitting the petitioner to take personal notice on the respondent by 31.07.2024, there shall be stay of operation of the order dated 09.05.2024 in E.P. No.212 of 2022 provided the E.P. schedule property is not already delivered to the respondent/DHR.

UDPR, J

Note: issue C.C. today.

ss/eha