

HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

MAIN CASE: CIVIL REVISION PETITION No.2255 and 3177 of 2008

PROCEEDING SHEET

Sl. No	DATE	ORDER	Office Note
	15.12.2025	<u>HN, J</u> Heard the arguments of Sri.Ambadipudi Satyanarayana, learned senior counsel appearing on behalf of petitioners. It is submitted by the learned senior counsel that the petitioners are aggrieved by the order passed in EA.No.110 of 2006 in EP.No.59 of 1999 in OS.No.59 of 1995. The Execution Court sold the property consisting of land admeasuring Ac.0.05½ cents for an amount of Rs.4,15,000/-. The sale was challenged by the petitioner and the learned Principal Junior Civil Judge, Ponnur rightly set aside the sale, however directed the petitioner to deposit an amount of Rs.4,15,000/- (+) Rs.25,000/-, totaling an amount of Rs.4,40,000/- along with interest at 5% per annum. The said order was passed on 25.03.2008 and the learned Principal Junior Civil Judge, Ponnur directed to deposit the said amount on or before 30.04.2008. The learned senior counsel submits that the petitioner has suffered a decree and is required to pay an amount of Rs.38,155/- together with interest and poundage. However, a direction to deposit the auction amount and other charges is	

		illegal and irrational. It is submitted that during pendency of the said proceedings, the petitioner had deposited an amount of Rs.2,94,000/-. This Court called for the report from the learned Principal Civil Judge (Junior Division), Ponnur. The learned Principal District Judge, Guntur has submitted the report dated 25.10.2024, duly stating that an amount of Rs.2,94,000/- is available in CCD (Civil Court Deposits) to the Credit of EP.No.59 of 1999 in OS.No.51 of 1995 and further an amount of Rs.2,09,154/- is also lying under attachment in OS.No.676 of 2007 and that a total amount of Rs.5,03,157/- is available to the credit of EP.No.59 of 1999 in OS.No.51 of 1995. The learned senior counsel for the petitioner further submits that the petitioner is willing to forego the amount subject to setting aside the direction to deposit an amount of Rs.4,15,000/- and other charges together with interest. It is submitted that the Decree has been satisfied and the D.Hr has been received the amounts. The auction purchaser amount is to be considered by this Court and the trial Court having kept in mind the amount deposited by the auction purchaser had directed the petitioner to deposit the said amount. However, on account of the amount lying in the account of EP.No.59 of 1999,	
--	--	--	--

		the same can be disbursed to the auction purchaser as the said amount would reimburse amount of the auction purchaser.	
--	--	---	--

		Post the matter on 22.12.2025, for hearing of the arguments of learned counsel appearing for the auction purchaser.	
--	--	--	--

		KGM	
--	--	------------	--

		<u>HN, J</u>	
--	--	---------------------	--