

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MAIN CASE NO.: C.R.P. (SR) No.35167 of 2023

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
1)	05.10.2023	<u>CMR, J.</u> Heard learned counsel for the petitioner. The revision is preferred against the order passed in a petition filed under Order 21 Rule 90 CPC to set aside the sale on the ground of irregularity and fraud in conducting the said sale. Office took objection as to how the revision is maintainable as appeal lies against the said order. Orders against which appeals lie are enumerated in clauses (a) to (w) of Order 43 of CPC. As can be seen from Order 43(i)(j), an order passed in a petition filed under Order 21 Rule 72 or Rule 92 CPC was alone enumerated as an appealable order in it. Therefore, as order passed in a petition filed under Order 21 Rule 90 CPC is not an appealable order, as envisaged in Order 43 CPC, the only remedy available to the petitioner is to prefer a revision against it. Therefore, the office objection is not sustainable. Registry is directed to register the revision petition, if it is otherwise in order. CMR, J. CS	

