



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

[3206]

FRIDAY, THE TWENTIETH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO

CIVIL REVISION PETITION NO: 2524/2025

Between:

1.KOGANTI DEVA HARSHA, S/O SRINIVASA RAO, AGED 30 YEARS,
CULTIVATION R/O. RAVIKAMPADU VILLAGE, KOLLURU MANDAL,
BAPATIA DISTRICT.

...PETITIONER

AND

1.AKKINENI LAKSHMI SUNEELA, W/O SATISH, AGED ABOUT 40
YEARS, HOUSE WIFE, R/O. AGINIPARRU VILLAGE,
PAMIDIMUKKALA MANDAL, KRISHNA DISTRICT.A

2.DEVI SEETHAIAH CHOWDARY J DR, S/O. RAMAIAH, AGED ABOUT
59 YEARS. CULTIVATION R/O. TIPPALAKATTA, HAMLET OF
POTHALANKA VILLAGE KOLLURU MANDAL, BAPATIA DISTRICT

...RESPONDENT(S):

Petition under Article 227 of the Constitution of India,praying that in the circumstances stated in the grounds filed herein,the High Court may be pleased toThe Petitioner begs to present this Memorandum of Civil Revision Petition having been aggrieved by the Docket Order dated 20-06-2025, passed in unnumbered claim petition (E.A.No. filed vide C.F.R.No. 1340, dated 20-06-2025 in E.P.No.3 of 2025 in of2025) unnumbered O.S.No. 22 of 2024, on the file of the Court of the Civil Judge (Senior Division), Repalle for thefollowing grounds among other

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to Dispense with filing of the original Execution Application filed vide (CFR.No.1340/25) in E.P.No.3 of 2025 in O.S.No. 22 of 2024, on the file of the Court of the Civil Judge (Senior Division), Repalle and pass

IA NO: 2 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to saty all further proceedings in E.P.No.3 of 2025 in O.S.No. 22 of 2024 on the file of the Court of the Civil Judge (Senior Division), Repalle, pending disposal of the above C.R.P and pass

Counsel for the Petitioner:

1.YADAVALLI RAMESH

Counsel for the Respondent(S):

1.NAVULURU KRISHNA SAI

The Court made the following Order:

The petitioner herein had filed a claim petition in E.P.No.3 of 2025, contending that the property that was sought to be sold, was sold to him by the Judgment Debtor, under an agreement of sale and that the said property would not be available for attachment and sale. It appears that this application was not numbered and sale proceedings were initiated even before the petitioner could resubmit the application after complying with the objections raised by the Section.

2. Aggrieved by the action of the Executing Court, in going ahead with the auction process, the petitioner approached this Court, by way of the present Civil Revision Petition.

3. The learned counsel appearing for the respondent had submitted that the property in question had been auctioned and sale certificate had already been issued in this regard. The learned counsel would submit that nothing further survives in this Revision Petition.

4. The learned counsel for the petitioner would contend that the sale of the property in question, was itself illegal as the application of the petitioner was not considered before the sale process was allowed to go on. The learned counsel would submit that Order 21 Rule 58 requires his application to be either accepted or rejected and that no sale could have been taken place without such an order being passed.

5. This Court does not find any reason to interfere in the matter inasmuch as the application of the petitioner had not been numbered and had not been placed before the Court. In the absence of any application before the Court, it cannot be held that the Court acted in an unreasonable manner in going ahead with the auction process. In any event, the claim of the petitioner is based on an agreement of sale. In view of the Judgment of the Hon'ble Supreme Court of India in the case of **Suraj Lamp & Industries (P) Ld.Tr.Dir vs State Of Haryana & Anr.**¹, even this claim itself would be highly doubtful.

6. For the aforesaid reasons, this Revision Petition is dismissed. There shall be no order as to costs.

As a sequel, pending miscellaneous applications, if any, shall stand closed.

R. RAGHUNANDAN RAO, J

20.02.2026
MJA

¹ 2012 (1) SCC 656

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HON'BLE SRI JUSTICE R. RAGHUNANDAN RAO

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