



C.R.P.No.1832 of 2024

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M.NIRMAL KUMAR, J.

The petitioner/4th respondent in E.A.No.13 of 2022 had filed this civil revision petition challenging the order passed in E.A.No.13 of 2022 dated 13.12.2022.

2.The contention of the learned counsel for petitioner is that the petitioner is the judgment debtor in O.S.No.153 of 2004 and E.P.No.127 of 2005 was filed by the first respondent/Decree holder. In that, the first respondent filed E.A.No.13 of 2022 even without issuing notice to the petitioner. The Lower Court, without any discussion and consideration, allowed the E.A. and ordered break open of the property mentioned in the Execution Petition in order to effect delivery. Such non speaking orders cannot be passed in perfectionary manner.

3.Finding reason and force in the submission of the learned counsel for petitioner, this Court is inclined to admit this revision. Accordingly, this Civil Revision Petition is admitted.



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4.Notice to the respondents returnable by 24.06.2024. Private notice is also permitted.

5.Post on 24.06.2024.

30.04.2024
(1/2)

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Note: Issue Order Copy on 07.05.2024

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