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ITEM NO.25

COURT NO.3

SECTION XIIA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil)...../2013

(CC 8940/2013)

(From the judgement and order dated 25/04/2012 in CCCA No.323/2006 and order dated 01/02/2013 in RCCCAP No.259/2012 in CCCA No.323/2006 of The HIGH COURT OF A.P AT HYDERABAD)

NATTI LAXMI & ANR.

Petitioner(s)

VERSUS

KOTA CHAKRAPANI DEVI

Respondent(s)

With I.A.1 (C/delay in filing SLP and office report)

Date: 26/04/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI

For Petitioner(s) Ms. C.K. Sucharita, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

Delay condoned.

This petition is directed against judgment dated 25.04.2012 and order dated 01.02.2013 passed by the Division Bench of the Andhra Pradesh High Court in CCCA No.323 of 2006 and RCCCAP No.259 of 2012 respectively.

We have heard Ms.C.K.Sucharita, learned counsel for the petitioners for some time and perused the record.

In our view, the impugned judgment and order do not suffer from any legal infirmity warranting interference under Article 136 of the Constitution.

The special leave petition is accordingly dismissed.

However, in the facts and circumstances of the case, we direct that if the petitioners approach the Executing Court to ascertain the balance amount payable to the respondent and pay the amount disclosed by the Executing Court within a period of next six weeks then their residential house shall not be put to auction in furtherance of the order passed by the Executing Court.

It is needless to say that the petitioners shall not be entitled to raise any other plea before the Executing Court.

(Satish K.Yadav)
Court Master

(Phoolan Wati Arora)
Court Master