

(1982) 06 AP CK 0002

In the Andhra Pradesh High Court

Case No : Letter Patent Appeal No. 52 of 1982

Lalmohan Srivastava

APPELLANT

Vs

Ravi Co-operative Housing Society Limited at Bakaram,
Hyderabad

RESPONDENT

Date of Decision : 07-06-1982

Acts Referred:

Civil Procedure Code, 1908 (CPC) — Section 115

Citation : AIR 1982 AP 295

Hon'ble Judges : Ramachandra Rao, J; Jayachandra Reddy, J

Bench : Division Bench

Advocate : B.G. Paropkari, for the Appellant; Upendralal Waghray, for the Respondent

Judgement

Ramachandra Rao, J.—This Letters Patent Appeal is sought to be preferred against an interlocutory order in a revision petition filed under S. 115, C.P.C Clause 15 of the Letter Patent clearly prohibits a Letters Patent jurisdiction Appeal being preferred against an order made in the exercise of revisional jurisdiction. IT follows that, when a Letter Patent Appeal is not maintainable against any order in the revision petition itself, no appeal lies under Clause 15 of the Letters Patent against any interlocutory order in a revision petition. AN interlocutory order made in a revision petition may with in the meaning of Clause 15; but, inasmuch as the said order is made in exercise of the revision al jurisdiction, no Letters Patent Appeal lies under Clause 15 of the Letters Patent.

2. Sri B.G. Paropkari, the learned counsel for the appellant, relies upon a decision of the Supreme Court in Shah Babulal Khimji Vs. Jayaben D. Kania and Another, but we do not find anything in that decision in support of the contention of the learned counsel. The Letters Patent Appeal is not maintainable and the memorandum of appeal is rejected.

Appeal dismissed.