

**THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO**

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**CIVIL REVISION PETITION No.45 of 2015**

**ORDER:**

Petitioner is the landlord and respondent is the tenant. The petitioner filed R.C.No.70 of 2014 on the file of the Court of II Additional Rent Controller-cum-XIV Junior Civil Judge, Hyderabad (for short, trial Court) seeking eviction of the respondent. In the said proceedings, the petitioner filed I.A.No.122 of 2014 seeking a direction to the respondent to deposit the arrears of rent due in respect of the petition schedule property upto date and also for continuing to pay the rents regularly to the petitioner. The trial Court, by its order dated 05.11.2014, disposed of the said application directing the respondent to deposit the rent at Rs.3,000/- per month from November, 2012 to November, 2014 to the credit of the said RC and continue to deposit the future monthly rents at Rs.3,000/- on or before 5<sup>th</sup> of every succeeding month until disposal of the main RC or until further orders. Since the said order did not contain any order for withdrawal of the amounts deposited by the respondent, the petitioner filed the present Civil Revision Petition.

2. The impugned order of the trial Court makes it clear that the petitioner was directed not to withdraw the amount deposited by the respondent until disposal of the main RC and until further orders. The said order does not disable the petitioner to file an appropriate application seeking withdrawal of the amount deposited by the respondent.

3. In the circumstances, this Civil Revision Petition is disposed of giving liberty to the petitioner to file an application before the trial Court for withdrawal of the amounts of rents deposited by the respondent and it is needless to observe that the trial Court shall consider the same in accordance with law. No order as to costs. Miscellaneous Petitions, if any pending, shall stand closed.

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**A.RAMALINGESWARA RAO, J**

Date: 13.11.2015

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