

HON'BLE SRI JUSTICE R.SUBHASH REDDY
AND
HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

CIVIL REVISION PETITION No.4158 of 2015

ORDER: *(Per Hon'ble Sri Justice R.Subhash Reddy)*

In this Civil Revision Petition, the petitioner/judgment-debtor has questioned the order dated 27.07.2015 in E.P.No.21 of 2015 in Award No.314 of 2012 passed by the II-Additional Senior Civil Judge, Visakhapatnam.

Though the impugned order is questioned on several grounds, it is not necessary to deal with them in detail in view of the judgment of this Court in CRP.No.1340 of 2015 & batch. In the said batch of cases, this Court has held that the Courts of Senior Civil Judges have no jurisdiction to entertain the Execution Petitions filed under Section 36 of the Arbitration & Conciliation Act, 1996. Following the same, the order under challenge is to be set aside.

Accordingly, the Civil Revision Petition is allowed setting aside the order under challenge. However, liberty is given to the 1st respondent/decreed-holder to file Execution Petition before the appropriate Court in terms of the observations made by this Court in the judgment in the above-referred batch of CRPs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

JUSTICE R. SUBHASH REDDY

JUSTICE A.SHANKAR NARAYANA

01.10.2015

v v