

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

CIVIL REVISION PETITION No.2950 OF 2015

ORDER:- (per Hon'ble Sri Justice R.Subhash Reddy)

This Civil Revision Petition is filed by the petitioner/deGREE holder aggrieved by the order, dated 06.02.2015, passed in E.P.No.54 of 2014 in A.R.C.No.1017 of 2013 by the learned Senior Civil Judge, Chirala.

2. The aforementioned E.P. was filed to execute the Award dated 23.09.2013, in Arbitration Case No.1017 of 2013 passed by the Sole Arbitrator, Nellore under the Arbitration and Conciliation Act, 1996 (for short, "the Act"). *Vide* impugned order, the Civil Court has dismissed the petition filed by the petitioner/deGREE holder under Order XXI Rule 48 of the Code of Civil Procedure, 1908 for attachment of salaries of respondent Nos.3 and 4/judgment debtor Nos.3 and 4 for realization of amount under the execution petition.

3. This Court, *vide* common order, dated 01.10.2015, in C.R.P.No.1340 of 2015 and Batch, has held that the Courts of Senior Civil Judges have no jurisdiction to entertain the Execution Petitions filed under Section 36 of the Act.

4. For the aforesaid reason, this Civil Revision Petition cannot be entertained.

5. Accordingly, the Civil Revision Petition is dismissed granting liberty to the petitioner to file an Execution Petition before the appropriate District Court and the same shall be considered on its own merits independently. There shall be no order

as to costs.

6. Miscellaneous Petitions pending, if any, in this Civil Revision Petition shall stand closed.

JUSTICE R.SUBHASH REDDY

JUSTICE A.SHANKAR NARAYANA

Date: 07.10.2015

AMD

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

AND

THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

CIVIL REVISION PETITION No.2950 OF 2015

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Dated: 07.10.2015

AMD