

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Civil Revision Petition Nos.948 and 950 of 2015

Date: 14-12-2015

Between:

Gandhe Venkat Reddy

.... Petitioner

AND

Danda Uma

.... Respondent

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Civil Revision Petition Nos.948 and 950 of 2015

ORDER:

The defendant in O.S.No.934 of 2010 and O.S.No.935 of 2010 on the file of V Senior Civil Judge, City Civil Court, Hyderabad, is the revision petitioner in both the Revision Petitions. The respondent in both the Revision Petitions filed the respective suits for recovery of money on the basis of a promissory note and the said suits were decreed by the respective judgment dated 17-07-2012. The petitioner in both the revision petitions is a Government Employee. He filed I.A.No.866 of 2012 in O.S.No.935 of 2010 and I.A.No.865 of 2012 in O.S.No.934 of 2010 seeking permission of the Court to pay the decretal amount in monthly instalments @ Rs.5,000/- per month and the said applications were allowed granting monthly instalments at Rs.10,500/- per month payable on or before 5th of every month, commencing from September, 2014. Challenging the fixation of the said amount, the present Civil Revision Petitions are filed.

In order to show his bonafides, the petitioner was asked to deposit an amount of Rs.50,000/- and also to file an affidavit expressing his willingness to pay the balance amount in equated monthly instalments. The petitioner deposited an amount of Rs.50,000/- on 06-11-2015 and filed an affidavit dated 13-12-2015 to day stating that he undertakes to pay the decreetal amount in monthly instalments at Rs.8,000/- without fail, if his request for payment of the amount in monthly instalments at Rs.5,000/- was not accepted.

The decrees were passed way back on 17-07-2012 and obviously, the revision petitioner did not pay any amount after passing of the decree except the amount deposited as stated above.

In the circumstances, the petitioner is directed to pay the balance of the decreetal amount on or before 5th of every month at Rs.8,000/- per month commencing from January 2016 without fail. In case of failure of any single instalment, it is open to the respondent in both the revision petitions to take necessary steps for arrest of the judgment debtor/revision petitioner. The amount of Rs.50,000/- already paid shall be given credit to the decreetal amount. The Civil Revision Petitions are allowed accordingly to the extent indicated above. No costs.

A. RAMALINGESWARA RAO, J

Date: 14-12-2015

Ksn