

THE HON'BLE SRI JUSTICE R. SUBHASH REDDY

CIVIL REVISION PETITION No.4413 OF 2015

ORDER:

This revision petition is filed aggrieved by the order, dated 01.10.2015 passed in E.P.No.35 of 2015 in O.S.No.51 of 2008 by the I Additional Chief Judge, City Civil Court, Secunderabad, by which, the executing Court has directed to issue proclamation for attachment of the retirement benefits of the petitioner, subject to the provisions under Section 60 C.P.C., in the hands of the Head Master, Government High School, Nampally, Hyderabad.

Heard learned counsel for the petitioner and learned counsel for the 1st respondent.

It is the allegation of the petitioner that though Pension and Provident Fund are exempted from attachment, the impugned order is passed ordering attachment.

When the matter is called, it is brought to the notice of this Court that subsequent to issuance of proclamation, further orders are passed communicating the same to the disbursing officer.

From a perusal of the material on record, it is clear that the impugned proclamation is issued as the petitioner

has not filed any counter in the E.P.. As the matter is pending consideration for passing further orders, this Court deems it appropriate to permit the petitioner to raise his objections, if any, to the order of proclamation, by way of filing counter in the E.P. and if any such objections are filed, the executing Court shall pass appropriate final orders as expeditiously as possible, preferably within a period of four weeks from today.

Subject to the above, the revision petition is disposed of. Miscellaneous Petitions, if any, pending in this revision petition, shall stand closed. No costs.

R. SUBHASH

REDDY, J
October 30, 2015

Note: Issue C.C. by 03.11.2015.
B/o.MD