

**HON'BLE SRI JUSTICE R. SUBHASH REDDY**

**AND**

**HON'BLE SRI JUSTICE A. SHANKAR NARAYANA**

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**CIVIL REVISION PETITION No.2968 OF 2015**

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

This Civil Revision Petition is filed by Judgment Debtor No.3 aggrieved by the order, dated 23-04-2015, in E.P. No.131 of 2013 in Arbitration Case No.144 of 2013, passed by the learned Principal Senior Civil Judge, Chittoor, ordering attachment of his monthly salary.

2. This Court, by common order, dated 01-10-2015, in C.R.P. No.1340 of 2015 and batch, while considering the jurisdiction of Senior Civil Judge's Court to entertain execution petition filed under Section 36 of the Arbitration and Conciliation Act, 1996, has held that such application has to be filed only before the District Court as the Senior Civil Judge's Court does not have any jurisdiction to entertain the execution petition.

3. In that view of the matter and following the common order, dated 01-10-2015, in C.R.P. No.1340 of 2015 and batch passed by this Court, the order under challenge is set aside. However, it is made clear that the decree-holder is at liberty to realize the balance amount covered by the award after adjusting the amount of Rs.1,00,000/- Rupees one lakh only) deposited by the revision petitioner - judgment debtor No.3 pursuant to the interim order passed by this Court, by filing appropriate execution petition before the District Judge in terms

of the order passed by this Court in the aforesaid batch of revision petitions.

4 . Accordingly, the Civil Revision Petition is allowed. Copy of common order, dated 01-10-2015, in C.R.P. No.1340 of 2015 and batch, passed by this Court, shall form part of the decree. There shall be no order as to costs.

5. As a sequel thereto, Miscellaneous Petitions, if any, pending in this revision petition, stand disposed of.

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**R. SUBHASH REDDY, J**

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**A. SHANKAR NARAYANA, J**

**October 06, 2015.**

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