

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

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**C.R.P.No.275 OF 2016**  
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**ORDER:** (Per Hon'ble Sri Justice R. Subhash Reddy)

This revision petition, under Section 115 of the Code of Civil Procedure, 1908, is filed by the decree holder aggrieved by the order, dated 29.10.2014, passed in E.P.No.39 of 2014 in A.C.No.1015 of 2013 by the Senior Civil Judge, Chirala.

When the matter is called for hearing, it is submitted that the subject matter of this revision petition is squarely covered by the judgment of this Court in C.R.P.No.1340 of 2015 and batch, dated 01.10.2015, wherein this Court has ruled that the Courts of Senior Civil Judge are incompetent to entertain Execution Petitions filed under Section 36 of the Arbitration and Conciliation Act, 1996 and only the Courts of District Judge are having power to entertain Execution Petitions in view of the definition of '*Court*' as envisaged under Section 2(1)(e) of the said Act.

In view of the aforesaid judgment, it is not necessary to go into merits of the case. Having regard to the reasons assigned by this Court in the order, dated 01.10.2015, passed in C.R.P.No.1340 of 2015 and batch, we deem it appropriate to dispose of this revision petition by permitting the petitioner to file Execution Petition before

appropriate Court and the same shall be considered on its own merits.

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

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**R. SUBHASH**

**REDDY, J**

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**A. SHANKAR**

**NARAYANA, J**

December 21, 2015

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