

HON'BLE SRI JUSTICE R. SUBHASH REDDY

Civil Revision Petition No.2144 of 2010

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Order:

This Civil Revision Petition is filed by the judgment debtor in O.S.No.34 of 2005 on the file of the Principal Junior Civil Judge, Machilipatnam, aggrieved by the order dated 26.02.2010 passed in E.P.No.209 of 2009.

The aforesaid suit filed by the respondent herein for recovery of money is decreed. Alleging that though the petitioner herein has got sufficient means, he is not paying the decretal amount, respondent herein filed the aforesaid E.P., seeking to send the petitioner to civil prison. The said E.P., is allowed by the impugned order.

While issuing notice before admission, on 21.06.2010, this Court passed the following order:

“The learned counsel for the petitioner is also permitted to take out personal notice to the respondent and file proof of service.

There shall be interim stay, on condition that the petitioner deposits half of the decretal amount, within four (4) weeks from today and balance in four monthly instalments payable on or before 10th of every month commencing from September, 2010. As and when the amounts are deposited, the respondent shall be entitled to withdraw the same, without furnishing any security. In case the petitioner commits default of any of the conditions, he shall be liable to be arrested.”

When the matter is called for hearing, it is submitted that after the order dated 21.06.2010, there are no further

instructions. Further, from the material on record, it is clear that though the petitioner has got sufficient means, he is not paying the decretal amount. In view of the findings recorded by the court below, I am of the view that no case is made out for interference with the impugned order.

In the circumstances, the Civil Revision Petition is disposed of, confirming the interim order of this Court dated 21.06.2010. No order as to costs.

As a sequel, miscellaneous petitions if any pending in the C.R.P., stand closed.

R.SUBHASH REDDY, J

January 27, 2015

MRR