

THE HON'BLE SRI JUSTICE K.C.BHANU

CIVIL REVISION PETITION NO.967 OF 2015

ORDER:

This revision is directed against the order and decree, dated 09-02-2015 in E.P.No.06 of 2014 in O.S.No.123 of 2008 on the file of the Principal Junior Civil Judge, Sattenapalli, whereunder and whereby attachment warrant against the salary of the petitioner-J.Dr was issued as per order XXI Rule 48 CPC.

2. Learned counsel for the petitioner contended that the entire decretal amount was paid to the Decree holder on 01-03-2008 even before filing of the suit and that aspect of the case has not been considered.

3. The order under challenge needs no interference by this Court because the salary was attached in terms of Section 60 CPC. However, the contention of the learned counsel for the petitioner that he paid Rs.13,000/- to the decree holder has to be established before the Executing Court by filing necessary documents. Upon filing such documents, the same shall be considered in accordance with law.

4, Since no adverse order is passed, notice to the respondent in this revision is not necessary.

5. Accordingly, the Civil Revision Petition is disposed of giving liberty to the petitioner to approach Executing Court by filing necessary application to raise the attachment duly raising all the contentions raised in this revision. No order as to costs. Miscellaneous petitions, if any, pending in this revision shall stand closed.

K.C.BHANU, J

DATED: 13-03-2015

Hsd