

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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CIVIL REVISION PETITION No.1208 OF 2015

ORDER:

Heard the learned counsel for petitioners. In view of the disposal of the Civil Revision Petition at the admission stage, no notice was ordered to the respondent.

2. The petitioners herein are the judgment debtors pursuant to a decree passed by the Court of Senior Civil Judge, Zaheerabad (for short, trial Court) in O.S.No.19 of 2008 dated 11.03.2014. The respondent, who is the decree holder, filed E.P.No.1 of 2015 in O.S.No.19 of 2008 seeking to recover the decretal amount along with interest to a tune of Rs.7,24,010/-. In the meanwhile, the judgment debtors filed A.S.No.12 of 2014 on the file of the Court of I Additional District Judge, Medak at Sangareddy against the judgment and decree of the trial Court in O.S.No.19 of 2008 dated 11.03.2014 along with a petition seeking stay of execution of the decree and the same is pending consideration. When the said application is pending consideration, since there was no stay, the trial Court passed an order dated 23.02.2015 in E.P.No.1 of 2015 ordering attachment of EP schedule property belonging to the petitioners. Challenging the same, the present Civil Revision Petition is filed.

3. This Court is not inclined to entertain the present Civil Revision Petition as the petitioners have the alternative remedy of pursuing the application for stay in A.S.No.12 of 2012 pending before the I Additional District Judge, Medak at Sangareddy or by filing an appropriate application for raising the attachment in E.P.No.1 of 2015 in O.S.No.19 of 2008.

4. In the result, the Civil Revision Petition is dismissed, however, giving liberty to the petitioners to pursue the remedies available to them. Miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

A.RAMALINGESWARA RAO, J

Date: 05.11.2015

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