

HON' BLE SRI JUSTICE SURESH KUMAR KAIT

C.R.P.M.P.No. 4270 of 2016 in C.R.P.No. 3333 of 2016

&
C.R.P. No. 3333 of 2016

DATE: 25.11.2016

Between:

Karpurapu Sai Kiran Kumar
and three others

.. Petitioners/
J.Drs.1, 3, 5 & 6

And

M/s.Margadarsi Chit Fund Pvt. Ltd.
and two others

.. Respondents



ORDER:-

This Miscellaneous Petition is filed seeking to grant stay of the order dated 01.06.2016 made in E.P.No. 188 of 2015 in Disputes No.24 of 2014 on the file of the Court of III Additional Junior Civil Judge, Guntur, Guntur District.

The petitioners – J.Drs. have filed the Civil Revision Petition being aggrieved by the order dated 01.06.2016 passed in E.P. No. 188 of 2015 in Disputes No.24 of 2014 whereby the trial Court ordered issuance of warrants against the petitioners – J.Dr. for their arrest under Rule 38 C.P.C. on payment of process.

On 07.11.2016, when the matter was taken up for hearing, the learned counsel for the petitioners-J.Drs. submitted that the petitioners are ready to pay the entire amount i.e. Rs.3,31,451/- with costs, if any, to be directed by this Court. Accordingly, this Court, set aside the impugned warrants ordered to be issued against the petitioners in E.P.No. 188 of 2015, subject to the condition that the petitioners shall pay an amount of Rs.55,000/- (Rupees Fifty Five Thousand Only) in addition to E.P. amount, within a period of one week from that day. It was further directed that the amount shall be paid by cheque in favour of the decree holder.

The learned counsel for the 1st respondent – Decree Holder has submitted that the order dated 07.11.2016 passed by this Court has not been complied with by the petitioners.

The learned counsel for the petitioners-J.Drs. has not disputed the statement of the learned counsel for the Decree Holder.

In view of the facts recorded above, the order dated 07.11.2016 passed by this Court is hereby recalled and III Additional Junior Civil Judge, Guntur is hereby directed to give effect to his order dated 01.06.2016 in E.P. No. 188 of 2015 by executing the warrants against the petitioners-J.Drs.

Hence, this Miscellaneous Petition is devoid of merit and the same is accordingly dismissed. Consequently, the Civil Revision Petition is rejected. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

SURESH KUMAR KAIT, J

25.11.2016

bcj