

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CIVIL REVISION PETITION No.5879 of 2015

-

ORDER: (per Hon'ble Sri Justice Sanjay Kumar)

Learned counsel appearing for the parties are at consensus that the issue arising in this civil revision petition is squarely covered by the decision rendered by this Court in C.R.P.No.1340 of 2015 and batch on 01.10.2015, whereby it was held that execution petitions under Section 36 of the Arbitration and Conciliation Act, 1996, can only be entertained by the Court of the Principal District Judge concerned.

In that view of the matter, institution of the execution petition in the present case before the learned VII Senior Civil Judge, City Civil Court, Hyderabad, cannot be countenanced.

The civil revision petition is accordingly allowed holding that E.P.No.167 of 2015 in Arbitration Case No.PI-HO/TCFSL2563/2014 is not maintainable in the Court of the learned VII Senior Civil Judge, City Civil Court, Hyderabad. This order shall however not preclude the respondent from filing an execution petition afresh in accordance with law before the proper forum.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

Dr. B. SIVA SANKARA RAO, J

Date:09.06.2016
GJ