

HONOURABLE SRI JUSTICE P.NAVEEN RAO

CIVIL REVISION PETITION No.2316 OF 2016

Date: 22.04.2016

Between:

E.Venkataiah, s/o late E.Venkataiah,
Aged about 48 years, Occu: SG Teacher,
Working in MPP School, Balajipalli,
Chilamanthuru Mandal, Anantapuram dist.

.. Revision petitioner/
Respondent/ J.Dr.

And

Y Sankar Reddy s/o. Y.Rangareddy,
Aged about 57 years, Occu: Business,
R/o D.No.1-1135-1D, Adapalastreet,
Kadiri, Anantapuram District.

.. Respondent/
respondent/D.Hr.

This Court made the following:

HONOURABLE SRI JUSTICE P.NAVEEN RAO

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ORDER:

Heard learned counsel for both parties.

2. Petitioner herein obtained loan from the respondent. Since loan amount was not repaid, respondent instituted O.S.No.45 of 2013 on the file of Senior Civil Judge, Kadiri, Anantapuram District. The said suit was decreed. The decretal amount was Rs.1,37,500/-. Since the petitioner did not pay the decretal amount, respondent/plaintiff filed E.P.No.48 of 2015 claiming amount of Rs.1,57,293/- as due from the petitioner. After hearing both parties, the Court below passed orders on 05.10.2015 directing attachment of salary of the petitioner to a tune of Rs.9,500/- per month commencing from the month of October, 2015. Challenging the said order, this revision petition is filed.

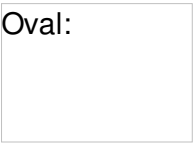
2. It is not in dispute that petitioner obtained loan from the respondent and decree passed in O.S.No.45 of 2013 has become final. It is not in dispute that the petitioner is liable to pay an amount of Rs.1,57,293/- to the respondent. Learned counsel for petitioner submits that petitioner is drawing gross salary of Rs.46,188/- and after deductions he is being paid salary of Rs.36,238/-. Having regard to these facts, the Court below ordered attachment of Rs.9,500/- per month from the salary of the petitioner payable to the respondent.

3. Since the petitioner is due an amount of Rs.1,57,293/- and having regard to the fact that petitioner is drawing net salary of Rs.36,238/-, I do not see any error in the order issued by the Court below directing attachment of salary of Rs.9,500/- per month. Having regard to the facts of this case, there is no merit in the CRP and is accordingly dismissed.

Miscellaneous petitions if any pending shall stand closed. No costs.

JUSTICE P.NAVEEN RAO

Date: 22.04.2016
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Oval:


HON'BLE SRI JUSTICE P.NAVEEN RAO

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