

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M.S.K. JAI SWAL

C.R.P.No.6184 of 2016

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

This civil revision petition under Section 115 CPC arises out of the docket order dated 05.06.2015 passed by the learned Principal Senior Civil Judge, Gudivada, Krishna District, in E.P.No.221 of 2014 in ARB No.41 of 2012.

In the light of the law laid down by a Division Bench of this Court in Potlabathuni Srikanth v. Shriram City Union Finance Ltd.¹, execution of an arbitral Award passed under the Arbitration and Conciliation Act, 1996, can only be before the Principal Civil Court of original civil jurisdiction in terms of Section 2(1)(e) thereof. The learned Principal Senior Civil Judge, Gudivada, therefore had no jurisdiction to entertain the execution petition in relation to such an arbitral Award.

The order under revision is accordingly set aside and the civil revision petition is allowed declaring that E.P.No.221 of 2014 is not maintainable before the learned Principal Senior Civil Judge, Gudivada. The first respondent is given liberty to approach the appropriate Court in accordance with law.

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

SANJAY KUMAR, J

M.S.K. JAI SWAL, J

14th December, 2016
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¹ [2016 (2) ALD 10 (DB)]