

THE HON' BLE SRI JUSTICE M. SEETHARAMA MURTI

Civil Revision Petition No.4004 of 2012

ORDER:

This Civil Revision Petition under Section 115 of the Code of Civil Procedure, 1908, is filed by the judgment debtor in E.P.No.9 of 2011 in O.S.No.209 of 2010 on the file of the Court of the learned Principal Senior Civil Judge, Gudiwada, whereby the immovable property of the Judgment debtor, which is described in the schedule annexed to the said execution petition, was being sought to be attached and sold for realization of the decree debt.

2. At the hearing, the learned counsel for both the parties would submit that as per the orders dated 22.08.2012 of this Court, the judgment debtor deposited 50% of the EP amount together with costs within the time granted by this Court and that subsequently the matter is settled out of Court and that the balance amount after excluding the amount deposited before the executing Court was paid by way of a draft and that therefore, the CRP can be closed by according permission to the decree holder to withdraw the amount deposited by the judgment debtor/revision petitioner to the credit of the EP along with interest accrued thereon.

3. Recording the submissions of the learned counsel for both the sides, the Civil Revision Petition is closed according permission to the decree holder to withdraw the amount lying to the credit of the EP with interest accrued thereon, if any, by following the due procedure established by law, towards full satisfaction of the decree. The order of attachment against the EP schedule properties passed by the executing Court shall accordingly stand vacated.

Miscellaneous petitions, if any, pending in this revision shall also stand dismissed. There shall be no order as to costs.

14th November, 2016
RAR

M. SEETHARAMA MURTI, J

