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THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

CIVIL REVISION PETITION No.86 of 2016

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22.01.2016

Between:

Koti Prasad Rao

...Petitioner

And

Yeruva Venkateswara Reddy and another

...Respondents

Counsel for the petitioner: Mr.M.Perireddy

Counsel for the respondents: --

The Court made the following:

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ORDER:

The petitioner, who is the judgment debtor in O.S.No.96 of 2014, filed this civil revision petition against the order, dated 09.09.2015, in E.P.No.199 of 2015 in O.S.No.96 of 2014 on the file of learned Additional Senior Civil Judge, Narasaraopet, directing attachment of the retiral benefits of the petitioner to the extent of nearly Rs.6,00,000/-. The petitioner pleaded that while ordering attachment, the lower Court has not exempted the items included under the proviso to Section 60(1) C.P.C.

In my opinion, the order under revision, being an *ex parte ad interim* order, the petitioner is entitled to move the lower Court by filing an appropriate application for exemption of the items covered by the proviso to Section 60(1) C.P.C. Hence, I do not find any reason to entertain this civil revision petition at this stage.

Accordingly, the Civil Revision Petition is dismissed, without expressing any opinion on the merits of the case, with liberty to the petitioner to make an application for modification of the order under revision before the lower Court.

As a sequel to dismissal of the civil revision petition, C.R.P.M.P.No.119 of 2016 filed by the petitioner for interim relief shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

22nd January, 2016

GHN

