

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CIVIL REVISION PETITION No.1564 of 2016

ORDER :

Impugning the arrest warrant issued to recover the decree debt of O.S. No.293 of 2006 in E.P. No.25 of 2004 vide order dated 08.02.2016 of the learned Senior Civil Judge, Adoni of Kurnool District, the revision is maintained and the revision petitioner/Judgment debtor obtained an interim order dated 28.03.2016 from this Court of stay of enforcement of the arrest warrant covered by the impugned order dated 08.02.2016 of the lower Court subject to deposit of 50% of the E.P amount within four weeks from that date with permission to withdraw by the decree holder without furnishing security and when the compliance not made by deposit and sought for extension by way of CRP MP No.4186 of 2016 of 10 days to deposit.

2) Now in the course of hearing of the main revision itself, since the J.Dr, undertakes to pay the entire amount within three months which is 50% of deposit of the amount within 10 days from today and payment of the remaining for full satisfaction within three months from today in all, the interim order is extended for three months from today against enforcement of the arrest warrant subject to the following conditions that (i) the revision petitioner/judgment debtor shall pay 50% of the warrant amount within 10 days from today to the decree holder or deposit before the lower

Court to the credit of the E.P to enable the decree holder to file cheque petition and withdraw without furnishing security and (ii) also to pay, as undertaken, by filing a memo before the lower Court, remaining 50% of the amount before the lower Court within two months 15 days thereafter for full satisfaction. In the event of failure to comply the same within three months from today, the arrest warrant can be enforced without any further reference of the Court for whatever the amount due under the decree under execution.

3) With the above observations, the revision is disposed of. No order as to costs. Pending miscellaneous petitions, if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

17.08.2016

N.B: C.C by 19.08.2016

(b/o) ksh