

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

AND

THE HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

CIVIL REVISION PETITION No.1101 OF 2016

ORDER: *(Per Hon'ble Sri Justice Nooty Ramamohana Rao)*

None appears for the petitioner.

Sri Kuncheam Maheswar Rao accepts notice on behalf of the first respondent-M/s Shriram Transport Finance Co. Ltd., the D.Hr and the petitioner in E.P.No.72 of 2015 on the file of the Principal Junior Civil Judge, Vayalpad.

E.P.No.72 of 2015 is instituted for execution of the award passed in Arbitration Case No.43 of 2012 on 20.06.2012 by the Arbitral Tribunal. In view of the judgment rendered by the Division Bench in **Potlabathuni Srikanth and Ors. Vs. Shriram City Union Finance Limited and Ors^[1]**, E.P. can only be moved before the Principal District Judge's Court, which can be made over to any other District Court, but not to any other of inferior status.

Hence, this revision is allowed, preserving liberty to the first respondent/decreed holder to move the E.P. before the competent Court for executing the award passed by the Arbitral Tribunal.

Consequently, miscellaneous applications pending if any shall also stand closed.

JUSTICE NOOTY RAMAMOHANA RAO

DR. JUSTICE B. SIVA SANKARA RAO

28.03.2016

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^[1] 2015 (6) ALT pg 629 (D.B)

