

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CIVIL REVISION PETITION No.4456 OF 2010

ORDER:

This revision is filed by the petitioner/ JDR No.2, aggrieved by the order and decree dated 31.08.2010 in E.P.No.65 of 2010 in O.S.No.10 of 2002 on the file of the Senior Civil Judge, Machilipatnam.

Heard both sides and perused the grounds urged in the revision and the impugned docket order.

It is the submission of the learned counsel for the revision petitioner/ JDR No.2 that several amounts paid out of the decree amount of Rs.1,39,231/- and thereby the leave encashment of Rs.1,70,000/- attached is unsustainable but for if at all to the amount required to record full satisfaction of the decree.

Having regard to the above, by virtue of this order by modifying the order of leave encashment of entire salary by calling for the amount by the lower Court, adjust whatever the amount due under the E.P. and return the balance amount to the petitioner/ JDR No.2.

Accordingly, the Civil Revision Petition is allowed.

Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. There shall be no order as to costs.

Dr. B. SIVA SANKARA RAO, J

Date:27-12-2017

pab