

THE HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

CIVIL REVISION PETITION No.1544 of 2010

ORDER:

This Civil Revision Petition is filed against the order, dated 25-02-2010 passed in E.P.No.189 of 2009 in O.S.No.1504 of 2007, wherein the Court below passed the orders under Order XXI Rules 37 and 38 read with 151 of Code of Civil Procedure by issuing warrant of arrest against the petitioner, who is judgment debtor in E.P. for not paying the decree amount in terms of the judgment and decree in O.S.No.1504 of 2007.

Heard learned counsel for the petitioner.

The Court below found that in spite of having sufficient means the petitioner/judgment debtor has not paid the amounts. The Court below also relied on some judgments and came to the conclusion. No infirmity was brought to my notice in the impugned order. In fact, the Court below found that the petitioner was working as Tailor and earning Rs.600/- per day, which is a finding of fact, which cannot be interfered and the E.P. amount is only thirty four thousands and odd.

In view of the same, I find no merits in the Civil Revision Petition and the Civil Revision Petition is liable to be dismissed.

Learned counsel for the petitioner/judgment debtor submits that some reasonable time may be granted to the petitioner/judgment debtor for payment of E.P. amount.

In view of the facts and circumstances of the case, the Civil Revision Petition is dismissed, granting three (3) months time to the petitioner/judgment debtor for payment of entire E.P. amount to the respondent/decreed holder. Failing which the impugned order revives and it is open for the respondent/decreed holder to execute the same, in accordance with law. There shall be no order as to costs.

The Miscellaneous Petitions, if any, pending in this Civil Revision Petition shall stand closed.

A. RAJASHEKER REDDY, J

August 03, 2017

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