

**HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO**

**C.R.P.No.2242 OF 2017**

**ORDER**

This Civil Revision Petition is directed against the order dated 09.02.2017 passed in E.P.No.134 of 2016 in O.S.No.480 of 2010 by the Principal Senior Civil Judge, Ongole, Prakasam District.

The petitioner herein is judgment debtor No.5 and 1<sup>st</sup> respondent is the decree holder.

The 1<sup>st</sup> respondent herein obtained a decree for an amount of Rs.2,25,007/- with subsequent interest. The execution petition was filed for recovery of Rs.3,61,333/-. When the salary of the petitioner was attached by order of the trial Court dated 9.2.2017, the present civil revision petition is filed.

Learned counsel appearing for the petitioner submits that the petitioner is not the judgment debtor, but he is only a guarantor and instead of proceeding against the judgment debtor, the order of attachment is passed against the guarantor.

It is open to the decree holder to proceed either against the judgment debtor or the guarantor and choose execution of the

decree. This Court sees no ground to entertain the revision petition.

Accordingly, the Civil Revision Petition is dismissed. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

---

JUSTICE A.RAMALINGESWARA RAO

6<sup>th</sup> October, 2017  
rkk

