

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE MS. JUSTICE J. UMA DEVI

CIVIL REVISION PETITION No.6013 of 2017

ORDER: (per Justice Sanjay Kumar)

The petitioner is the first judgment debtor in E.P.No.802 of 2016 on the file of the learned Principal District Judge, Nalgonda. By order dated 10.07.2017, the Executing Court directed the attachment of the property of the first judgment debtor. Aggrieved thereby, he is before this Court by way of this revision under Section 115 CPC.

Without venturing into the merits of the matter, Sri M.V.Venu, learned counsel for the petitioner/first judgment debtor, offered that, given sufficient time, his client would clear the entire outstanding dues of the first respondent/deGREE holder.

Sri Kuncheam Maheswara Rao, learned counsel for the first respondent/deGREE holder, informed this Court that the total outstanding dues as on the date of filing of the E.P. was Rs.36,78,118/- and that the interest of his client may be protected in the event the petitioner/first judgment debtor fails to make good his promise.

In the light of the aforesaid submissions, the civil revision petition is disposed of suspending the operation of the order under revision till 31.12.2018 or till this order remains operative, whichever is earlier. The petitioner/first judgment debtor shall endeavour to clear the entire outstanding dues of the first respondent/deGREE holder before 31.12.2018 by making payments in equated monthly installments before the tenth of each calendar month commencing from January, 2018. The first respondent/deGREE holder shall calculate the total outstanding dues up to the date of full realization by adding the interest component to the E.P. mentioned amount along with the costs recoverable, if any, and fix

the equated monthly installment payable by the petitioner/first judgment debtor, under intimation to him. Thereupon, the petitioner/ first judgment debtor shall pay the first such equated monthly installment on or before 10.01.2018. In the event the petitioner/first judgment debtor fails to pay any of the equated monthly installments within the time stipulated, this order shall stand withdrawn and the civil revision petition shall stand dismissed without further reference to this Court. It would then be open to the first respondent/deGREE holder to proceed further in the matter on the strength of the order under revision in accordance with law.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.



SANJAY KUMAR, J

J. UMA DEVI, J

Date: 14.12.2017

Note:-

Issue CC in one week.

(B/o)

PGS/IBL