

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CIVIL REVISION PETITION No. 1385 OF 2018

O R D E R:

This Civil Revision Petition is filed questioning the order, dated 08.09.2017, passed by the Principal Senior Civil Judge's Court, Ananthapuramu in E.P.No.172 of 2017 in D.R.A.No.24 of 2013 attaching the salary of the petitioner.

Learned counsel for the petitioner submits that no opportunity of hearing was given to the petitioner before passing the order under revision and respondent No.1, instead of proceeding against the principal borrower, has filed the E.P. against the petitioner, who is the guarantor, that too, two years after passing of the decree in D.R.A. No.24 of 2013.

Learned counsel for respondent No.1 does not dispute the above said submission and prays this Court for remanding the matter to the executing Court for fresh consideration.

In the light of the above and in view of the facts and circumstances of the case, the Civil Revision Petition is allowed by setting aside the order under revision. The matter is remanded to the executing Court, which in turn shall consider and dispose of the same afresh, in accordance with law, as expeditiously as possible. It is left open to the parties to raise their contentions before the executing Court.

Consequently, miscellaneous applications, if any shall stand disposed of. There shall be no order as to costs.

CHALLA KODANDA RAM, J

Dt:03.10.2018
kdl

