

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

C.R.P.No.3410 of 2018

ORDER:

This revision is filed aggrieved by the order dated 09.04.2018 in E.P.No.13 of 2016 in O.S.No.35 of 2012 on the file of the Junior Civil Judge, Salur.

2. Heard the learned counsel for the revision petitioner/judgment debtor and the learned counsel for the respondent/decree holder.

3. The parties are referred to as arrayed in the suit.

4. The plaintiff filed the suit for recovery of money basing on two promissory notes and the said suit was decreed. The plaintiff filed the E.P. to issue notice to the defendant/judgment debtor, arrest warrant and detain him in civil prison. The Court below, after recording the evidence and hearing both sides, allowed the E.P. and issued arrest warrant against the defendant/judgment debtor. From the evidence on record, it is clear that though the petitioner/judgment debtor has sufficient means to satisfy the decree or part thereof, he evaded to pay the same. Therefore, the Court below rightly issued arrest warrant against him. The impugned order needs no inference by this Court.

5. Under the circumstances, the Civil Revision Petition is dismissed.

Miscellaneous Petitions pending, if any, shall stand dismissed. There shall be no order as to costs.

Dr. SHAMEEM AKTHER, J

29th June, 2018
ssp

