

**THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY**

**C.R.P.No.4791 of 2018**

**Date: 28.11.2018**

Between:

Polamarasetti Venkata Apparao,  
S/o.Late Apparao,  
Hindu, Aged about 56 years,  
Employee, residing at  
D.No.38-19-113/5,  
Gowtaminagar,  
Marripalem,  
Visakhapatnam.

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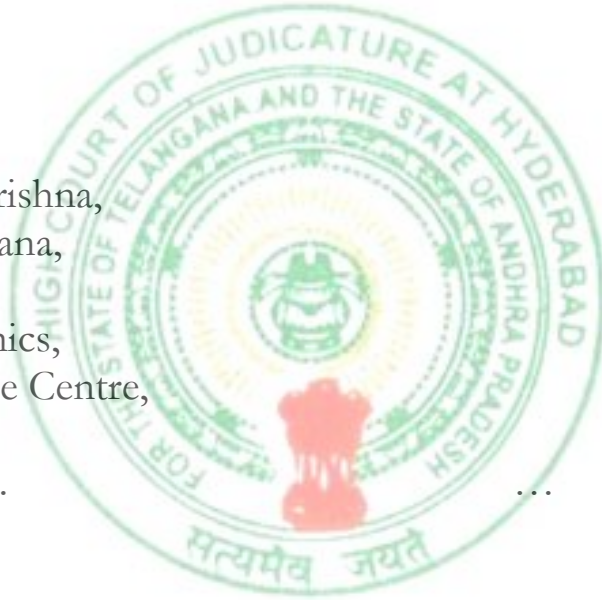
Petitioner

And

Ambati Ramakrishna,  
S/o.Suryanarayana,  
Advocate,  
Sriram Electronics,  
Opp.Car Service Centre,  
T.S.N. Colony,  
Visakhapatnam.

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Respondent



Counsel for the Petitioner : Mr. Reddy Venkata ramana

Counsel for the Respondent: Mr.D.Ravi Shankara Rao

**The Court made the following:**

**Order:**

This civil revision petition is filed against order dated 25.07.2018 in E.P.No.20 of 2011 in O.S.No.656 of 2008 on the file of the VI Additional Senior Civil Judge, Visakhapatnam.

2. By the aforementioned order, the court below has allowed the E.P. filed by the respondent for arrest and detention of the petitioner in civil revision. By interim order dated 31.08.2018, this Court granted stay of all further steps in pursuance of the order under revision, subject to the petitioner depositing to the credit of the E.P., 50% of the E.P. amount along with interest accrued thereon, within four weeks. At the hearing, Mr.Reddy Venkata Ramana, counsel for the petitioner submitted that his client has complied with the said order. Admittedly, the decree for recovery of amounts has attained finality. The petitioner also admitted that he is working as an employee in Port Trust, apart from possessing immovable property. The Court below has therefore rightly held that the petitioner is possessed of sufficient means to pay the E.P. amount, but has neglected to pay the same. Hence, I do not find any merit in this civil revision petition.

3. The civil revision petition is accordingly dismissed, permitting the respondent to withdraw the amount deposited by the petitioner, without furnishing any security. The petitioner is however, granted 3 months time from today, to deposit the balance E.P. amount, failing

which, this order shall automatically stand set aside and the order under revision shall stand revived.

4. As a sequel to the dismissal of the civil revision petition, I.A.No.1 of 2018 is disposed of as infructuous.

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**(C.V.Nagarjuna Reddy, J)**

Date: 28<sup>th</sup> November, 2018

msb



