

THE HON'BLE SRI JUSTICE S.V.BHATT

C.R.P.No.1305 of 2012

ORDER:

Heard Mr.D.Ramalinga Swamy for revision petitioner.

The Judgment Debtor(J.Dr) in E.P.No.17 of 2010 is the revision petitioner. The executing Court by recording that the J.Dr has means to pay the decretal amount allowed E.P. and ordered that the 2nd respondent (J.Dr)/revision petitioner undergoes civil imprisonment for a period of two months subject to payment of committal batta by Decree Holder (D.Hr).

The findings recorded by the executing Court appear to be reasonable and are just in the facts and circumstances of the case. The revision petitioner failed to bring the challenge to the order under revision within the scope of Section 115 of Code of Civil Procedure.

This Court instead of burdening the order with the very same reasons, records that it is fully in agreement with the reasons expressed by the executing Court and accordingly dismisses the revision.

In the case on hand, the revision petitioner is enjoying the order of stay from 2012 onwards. The stay ordered on 16.03.2012 is extended by two more months from today to

enable the revision petitioner/J.Dr to pay the balance E.P. amount in two equal installments. The first installment becomes payable on or before 10.10.2018 and 2nd installment on or before 14.11.2018. In default of any one of the installments, it is made clear that without reference to Court, the warrant of arrest can be executed.

The Civil Revision Petition is ordered accordingly. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

Dt: 11.09.2018
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S. V. BHATT, J

