

***IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
*FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

* HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN
AND
HON'BLE SRI JUSTICE N. BALAYOGI

+ C.R.P.No.6193 of 2017

% Date: 12-06-2018

Between:

1. Rachuri Ramalakshmi, W/o. Ramakrishna Rao, Ramakrishna Nagar, Block No.15 to 18, Working as Headmaster, ZP Girls High School, Chintalapudi Village and Mandal, West Godavari District.
2. Chillagunda Jyothi, D/o. Ramakrishna, O.S. Government High School, R/o. Door No.1-27, Gandhi Nagar, Chintalapudi Village and Mandal, West Godavari District, Working as Attender, Government Girls High School, near Ramakoti, Eluru, West Godavari District.

Petitioners

Vs.

1. M/s. Shriram City Union Finance Limited, Vasavi Buildings, GBG Road, Chintalapudi, rep. by its Authorised Regional Manager, Sri Vytla Srinivasa Rao, S/o. Seshagiri Rao, Eluru City, West Godavari District.
2. Yarra Prasad, S/o. Yesuratnam, R/o. Door No.13-94, Velagapalli Village, Chintalapudi Mandal, West Godavari District.

Respondents

! Counsel for the petitioners : Ms. Nimmagadda Revathi

^ Counsel for the respondents : Mr. K. Maheswara Rao

< GIST:

> HEAD NOTE:

? Cases referred

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
THE HON'BLE SRI JUSTICE N. BALAYOGI

C.R.P.No.6193 of 2017

ORDER: (Per VRS,J.)

The petitioners, who are award debtors Nos.2 and 3, have come up with the above revision challenging an order of attachment of their salary, passed by the Executing Court.

2. Heard Ms. Nimmagadda Revathi, learned counsel for the petitioners and Mr. K. Maheswara Rao, learned counsel for the 1st respondent.

3. The 1st respondent herein secured an arbitration Award as against the 2nd respondent and the petitioners herein. The 2nd respondent was the principal borrower and the petitioners herein were the guarantors.

4. Admittedly, the Award has attained finality. Therefore, the 1st respondent filed an Execution Petition in which the Court ordered attachment of salary. Contending that no opportunity was given to them before the order of attachment was passed, the petitioners are before this Court.

5. It is not clear from the docket orders filed before us, as to whether opportunities were given or not. But admittedly, the execution was laid within two years of the Award being passed. The Award has attained finality. Therefore we see no reason to interfere with the order of attachment, since the Court has made it clear that the attachment will be subject to Section 60 C.P.C. Section 60 C.P.C, gives lot of protection to the petitioners.

6. Therefore, we see no reason to interfere with the impugned order. It is also stated that the attachment has subsequently been made absolute and the attachment also given effect to. Hence the civil revision petition is dismissed. There shall be no order as to costs.

7. As a sequel, pending miscellaneous petitions, if any, shall stand closed.

V. RAMASUBRAMANIAN, J.

N. BALAYOGI, J.

12th June, 2017
Js.



THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
THE HON'BLE SRI JUSTICE N. BALAYOGI

C.R.P.No.6193 of 2017



Date: 12-06-2017

Js.