

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

C.R.P.Nos.5457 & 7355 of 2017

COMMON ORDER:

Both these revisions are filed by the judgment debtor facing the threat of arrest in execution of money decree.

2. Heard Smt. Nimmagadda Revathi, learned counsel for the petitioner and Mr. Kowturu Pavan Kumar, learned counsel appearing for the respondent.

3. In E.P. No.85 of 2010, the Executing Court directed the issue of a warrant of arrest. Challenging the said order C.R.P.No.5457 of 2017 was filed. On 13.10.2017 notice was ordered in the revision and stay was granted on condition that the Judgment Debtor deposits before the Executing Court, 1/3 of the decree amount.

4. Though the petitioner complied with the said order, the trial Court construed the stay order as having been limited to three weeks and directed the issue of a fresh warrant of arrest on 12.12.2017. As against the said order C.R.P.No.7355 of 2017 is filed.

5. Admittedly, 1/3 of the decree amount has been paid. The learned counsel for the petitioner seeks the facility of payment of balance E.P. amount by installments. The balance E.P. amount due is about Rs.60,000/-.

6. Therefore, considering the prayer made, the Civil Revision Petitions are disposed of granting to the petitioner/Judgment Debtor the facility of payment of the balance E.P. amount in four equal monthly installments. The first of such installments shall be paid on or before 12.03.2018. The second installment shall be paid on or before 10th of April, 2018. The third and fourth installments shall be paid together on or

before 10th of June, 2018. Upon the deposit of the installments, the respondent is permitted to withdraw the same. The 1/3 of the E.P. amount already deposited shall also be withdrawn by the respondent. Upon the petitioner complying with these conditions, the E.P. will stand terminated recording full satisfaction. In view of the facility of payment by installments granted by this order, the order of arrest shall stand set aside. If the petitioner fails to comply with the above order, it will be open to the respondent to seek an order of arrest afresh. There shall be no order as to costs.

7. As sequel, miscellaneous petitions pending in this revision, if any, shall stand closed.

JUSTICE V. RAMASUBRAMANIAN

20th February, 2018
Js.



THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

C.R.P.Nos.5457 & 7355 of 2017



20th February, 2018

Js.