

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CIVIL REVISION PETITION NO.7166 OF 2017

ORDER:

This civil revision petition is filed under Section 115 of C.P.C, challenging the order in E.P.No.83 of 2013 dated 13.11.2017 passed by the IV Senior Civil Judge, City Civil Court, Hyderabad, whereby, arrest warrant was issued against judgment debtors No.1 & 5 in a petition filed under Order XXI Rules 37 & 38 C.P.C, on various grounds.

During hearing, learned counsel for the petitioners and respondents requested this Court to pass appropriate order for payment of certain amount.

Learned counsel for the petitioners agreed to pay 1/3rd of the decretal amount. Sri P. Durga Prasad, learned counsel for the respondents agreed for receiving the same for the present and agreed to set-aside the order passed by the Court below, giving liberty to proceed against J.Dr to realise the decree debt in permissible modes.

With the consent of both the parties, the order in E.P.No.83 of 2013 dated 13.11.2017 passed by the IV Senior Civil Judge, City Civil Court, Hyderabad, is set-aside, subject to payment of 1/3rd of decretal amount, together with costs within a period of eight weeks from today and in case, the petitioners fail to pay the said amount to D.Hrs i.e the respondents herein, the order in E.P.No.83 of 2013 dated 13.11.2017 gets automatically revived without

further reference to this Court, giving liberty to D.Hr to recover decree debt from any one or all of the J.Dr in any permissible modes under law.

With the above direction, the civil revision petition is disposed of.

Consequently, miscellaneous applications pending if any, shall also stand closed. No costs.

JUSTICE M. SATYANARAYANA MURTHY

Date:19.02.2018

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