

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

CIVIL REVISION PETITION Nos.856 and 877 of 2019

COMMON ORDER:

These two Revisions have been filed by petitioners assailing the orders dt.04-01-2019 in E.P.No.63 of 2016 in O.S.No.2136 of 2007 and order dt.25-02-2019 in E.P.No.64 of 2016 in O.S.No.2135 of 2007 on the file of the Senior Civil Judge, Medchal, Ranga Reddy District.

2. Petitioners herein are Judgment-Debtors and have suffered decrees dt.10-04-2008 in O.S.No.2136 of 2007 and 10-04-2008 in O.S.No.2135 of 2007 passed by the V Senior Civil Judge, City Civil Court, Hyderabad. Petitioners did not challenge the same and the decrees attained finality.

3. The Decree-Holder filed E.P.No.63 of 2016 in O.S.No.2136 of 2007 and E.P.No.64 of 2016 in O.S.No.2135 of 2007 before the Senior Civil Judge, Medchal, Ranga Reddy District to attach movable properties of petitioner Nos.2 to 6 under Order XXI Rule 43 C.P.C. and to proclaim and sell the same invoking Order XXI Rule 64 and 66 of C.P.C. for realization of the decretal amounts.

4. In E.P.No.64 of 2016 in O.S.No.2135 of 2007, petitioner Nos.2 and 4 did not file counter and were set *ex parte* and the Court below directed issuance of Rule 43 attachment, which is challenged in C.R.P.No.856 of 2019.

5. In E.P.No.63 of 2016 also similar relief was sought and warrants were issued by the Court below for attachment of the movable properties of the petitioners, and challenging the same, C.R.P.No.877 of 2019 is filed.

6. Learned counsel for petitioners contends that petitioners be granted time to pay the decretal amount and attachment orders be suspended.

7. It is not in dispute that the suits have been decreed on 10-04-2008. More than 11 years have elapsed, but petitioners/J.Drs. have not satisfied the decrees. The Decree-Holder cannot be expected to wait for eternity to recover the money payable to it under the decrees passed by the Court below. Since there is no valid reason for the petitioners not to satisfy the decrees passed by the Court below, I see no reason to interfere with the orders of attachment made by the Court below of the movable properties of the petitioners for realizing the decretal amounts payable under the decrees granted in O.S.Nos.2135 of 2007 and 2136 of 2007.

8. Accordingly, these Civil Revision Petitions fail and are dismissed at the stage of admission. No costs.

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

JUSTICE M.S.RAMACHANDRA RAO

Date: 25-04-2019

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