

HIGH COURT FOR THE STATE OF TELANGANA

THE HON'BLE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN

AND

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION No.1799 of 2019

Date: 02.08.2019

Between:

Muneeruddin Mahammed.

... Petitioner/Judgment Debtor No.2

AND

M/s. Mahindra & Mahindra Financial Services Ltd.,
Rep. by its Authorised Signatory and
Power of Attorney Sri Y. Sham Prasad
and another.

... Respondents

Counsel for the Petitioner : Sri K.V. Subba Reddy

Counsel for the Respondents : ---

The Court made the following:

ORDER: (Per Hon'ble Dr. Justice Shameem Akther)

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed by the petitioner/judgment debtor No.2, challenging the proceedings in E.P.No.10 of 2015 filed by the respondent No.1-decree holder, before the Senior Civil Judge, Huzurnagar, Nalgonda.

2) Heard arguments of Sri K.V.Subba Reddy, learned counsel for the petitioner and perused the record.

3) The learned counsel for the petitioner/judgment debtor No.2 would contend that the Court, before which the subject Execution Petition is filed for enforcement of the Arbitration Award, has no jurisdiction to entertain the said petition. The competent Court to file the Execution Petition would be the Court of Principal Senior Civil Judge, Nalgonda, and ultimately prayed to quash the subject proceedings.

4) These contentions can be raised by the petitioner/judgment debtor No.2 before the Court below, where the Execution Petition is pending.

5) With the above observation, the Civil Revision Petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

RAGHVENDRA SINGH CHAUHAN, HCJ

Dr. SHAMEEM AKTHER, J

Date: 02.08.2019
jsu/scs