

THE HON'BLE Dr.JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION No.1745 OF 2019

ORDER:

This Civil Revision Petition is filed under Article 227 of the Constitution of India, by the petitioner/Judgment Debtor, aggrieved by the order dated 28.06.2019 passed in E.P.No.45 of 2015 in O.S.No.325 of 2014 by the Senior Civil Judge, at Huzurnagar, wherein the Court below ordered attachment of salary of the revision petitioner.

2) Heard the learned counsel for the revision petitioner, the learned counsel for respondent No.1 and perused the record.

3) Learned counsel for the revision petitioner would submit that during the pendency of the appeal as well as applications before the lower Appellate Court, the Court below erroneously passed the impugned order.

4) Admittedly, the operation of the judgment and decree dated 10.12.2014 passed in O.S.No.325 of 2014 by the Senior Civil Judge at Huzurnagar, is neither stayed nor suspended by competent Court and the same is in force.

5) Under these circumstances, the Court below is justified in passing the order of attachment of salary of the revision petitioner. The Court below neither exceeded its jurisdiction nor committed any illegality while passing the impugned order. This civil revision petition is devoid of merits and the same is liable to be dismissed.

6) Accordingly, the Civil Revision Petition is dismissed. Pending Miscellaneous Petitions, if any, shall stand closed. No order as to costs.

Dr. SHAMEEM AKTHER, J

Date: 30.10.2019
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