

HIGH COURT FOR THE STATE OF TELANGANA

**THE HON'BLE THE CHIEF JUSTICE RAGHVENDRA SINGH CHAUHAN
AND**

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

C.R.P.No.1904 of 2019

Date: 14.08.2019

Between:

P. Swamy Reddy

...Petitioner

and

M/s. Shriram City Union Finance Limited,
Nirmal Branch, rep. by its Authorised Signatory
and Power of Attorney Holder, and another

...Respondents

Counsel for the petitioner: Mr. S. Surender Reddy

Counsel for the respondents: N.A.

The Court made the following:

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

This Civil Revision Petition is filed by the petitioner/ Judgment Debtor No.2, under Section 115 C.P.C, aggrieved by the order dated 08.04.2019 passed in E.P.No.01 of 2019 in Arbitration Case No.1293 of 2011 by the VII Additional District Judge, at Nirmal.

2) Heard the learned counsel for the petitioner and perused the record.

3) The learned counsel for the revision petitioner would submit that no notice was given to the revision petitioner during the pendency of arbitration proceedings. Further, the revision petitioner is only a guarantor. He also contends that there are other material irregularities in the arbitration proceedings and ultimately, prayed to set aside the impugned order.

4) This petitioner has challenged the order dated 08.04.2019 passed in E.P.No.1 of 2019 in Arbitration Case No.1293/2011. The contention of the petitioner is that the Award dated 25.07.2012 passed by the Sole Arbitrator, is without notice and so many other irregularities were committed. These grounds are required to be taken in an appeal before the competent Court and they cannot be addressed by the Execution Court. Therefore, when there is efficacious alternative remedy available to the petitioner by way of an appeal, this revision petition lacks merit. All the contentions raised herein are unsustainable.

5) Under these circumstances, the Civil Revision Petition is devoid of merits and it is, accordingly, dismissed. There shall be no order as to costs.

As a sequel, miscellaneous petitions, pending if any, shall also stand dismissed.

RAGHVENDRA SINGH CHAUHAN, CJ

Dr. SHAMEEM AKTHER, J

Date: 14.08.2019
va

