

THE HON'BLE SRI JUSTICE M.S. RAMACHANDRA RAO

AND

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

CIVIL REVISION PETITION No.2920 OF 2019

ORDER: (Per Hon'ble Sri Justice M.S. Ramachandra Rao)

This revision petition is filed by the petitioner challenging the order dt. 26.09.2019 of the VIII Additional District Judge at Miryalaguda in E.P.No.692 of 2018 in Arb.No.55 of 2013, directing realization of the decretal amount, pursuant to the Award dt. 17.05.2014 passed in favour of the 1st respondent, from the petitioner.

2. Admittedly, the petitioner had filed Arb.O.P.No.41 of 2019 on 03.05.2019 before the Principal District Judge, Warangal, challenging the said Award and had also filed I.A.No.306 of 2019 in the said Arb.O.P., under Section 36 (2) of the Arbitration and Conciliation Act, 1996. It is the contention of the petitioner that the 1st respondent herein is avoiding notice in the said application and is proceeding to execute the Award by filing E.P.No.692 of 2018 by way of attachment.

3. Counsel for the 1st respondent does not dispute the fact that the petitioner had filed Arb.O.P.No.41 of 2019 and also I.A.No.306 of 2019 before the Principal District Judge at Warangal.

4. In these circumstances, the Principal District Judge, Warangal, is directed to decide I.A.No.306 of 2019 in Arb.O.P.No.41 of 2019 pending on his file within two weeks from the date of receipt of a copy of this order. Pending disposal of the said I.A.No.306 of 2019, the order dt. 26.09.2019 in E.P.No.692 of 2018 in Arb.No.55 of 2013 on the file of VIII Additional District Judge at Miryalaguda shall not be executed.

5. With the above directions, the Civil Revision Petition is disposed of.

Miscellaneous Petitions, if any, pending in this Civil Revision Petition shall stand closed. There shall be no order as to costs.

M.S.RAMACHANDRA RAO, J

T.AMARNATH GOUD, J

February 27, 2020.

Note: Issue C.C. in three days.
B/O.MD