



C.R.P(PD)No.2415 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.R.P(PD)No. 2415 of 2021

Narendar Shah

..Petitioner

Vs.

1.D.Venkatesh Kumar

2.D.Vinayagam

..Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, seeking an order for early disposal of E.P.No.120 of 2019 on the file of the Hon'ble II-Additional District and Sessions Judge at Poonamallee.

For Petitioner : Mr.Ralph V.Manohar

ORDER

The petitioner seeks early disposal of E.P.No.120 of 2019 on the file of the II-Additional District and Sessions judge, Poonamallee filed by him seeking execution of the award in Arbitration Case No.10 of 2018.



C.R.P(PD)No.2415 of 2021

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2.The award passed in Arbitration Case No.10 of 2018 is an award based on a compromise memo wherein, the judgment debtors have agreed to pay the decree amount in instalments within a specified time. Since the promise was not honoured, the decree holder has filed the above execution petition.

3.Heard Mr.Ralph V.Manohar, learned counsel for the petitioner. Considering the prayer in the civil revision petition, the notice to the respondents is deemed unnecessary.

4.It is seen from the records that the execution petition has been pending from 2019 without any progress. Though the respondents have been making statements before the Court that they will pay the decree amount, it remains only an empty promise. The learned District Judge has adjourned the proceedings time and again and the prevailing pandemic has also assisted the respondents in keeping the execution at bay.



C.R.P(PD)No.2415 of 2021

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5.In view of the above, this civil revision petition is allowed with a direction to the II-Additional District and Sessions Judge, Poonamallee to dispose of the execution petition in E.P.No.120 of 2019 within a period of four months from the date of receipt of a copy of this order. No costs.

12.11.2021

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Index:No
Internet:Yes
Speaking

To:-

The II-Additional District and Sessions Judge,
Poonamallee.



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C.R.P(PD)No.2415 of 2021

R.SUBRAMANIAN, J.

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C.R.P(PD)No. 2415 of 2021

12.11.2021