



C.R.P.(NPD)No.3952 of 2013

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2022

CORAM:

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

C.R.P.(NPD)No.3952 of 2013

V.Vinod Shankar

... Petitioner/ Judgment
Debtor/Petitioner

Vs.

The Royal Bank of Scotland N.V.,
N.V.Hansalaya Building,
15, Rarakhamba Road,
New Delhi

... Respondent/ Decree-Holder
Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India against the Order and Decretal order, dated 13.06.2013 passed in E.A.No.4766 of 2012 in E.P.No.3908 of 2011 by the X Assistant Judge, City Civil Court, Chennai.

For Petitioner : Mr.P.Jesus Moris Ravi



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ORDER

Aggrieved against the dismissal of order, dated 13.06.2013 passed in E.A.No.4766 of 2012 in E.P.No.3908 of 2011 by the X Assistant Judge, City Civil Court, Chennai, the petitioner/ Judgment Debtor has filed the present Civil Revision Petition to call for the records and set aside the same.

2. The facts of the case is that an Execution Petition was filed by the Decree Holder / respondent in E.P.No.3908 of 2011 to execute the Arbitral Award passed by the Arbitrator in Arbitration Case No.AL30\CH\078\2020 of 2010. The petitioner/ Judgment Debtor filed an application under Section 47 in E.A.No.4766 of 2012 in the above said E.P.No.3908 of 2011, to dismissed the same. The averments made by the petitioner/ Judgment Debtor in the above application is that, each and every bill has been discharged and full satisfaction against the decree is already paid to the Decree Holder / respondent, but to prove the same, no documentary proof has been submitted by the petitioner / Judgment Debtor. Finding no merit in the application filed by the petitioner / Judgment Debtor, the



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learned Judge dismissed the same vide order dated 13.06.2013. Aggrieved against the said dismissal, the petitioner / Judgment Debtor has preferred the present Civil Revision Petition.

3. Heard the learned counsel for the petitioner and perused the materials placed before this Court.

4. The learned Judge had rendered a finding that, though each and every bill has been discharged to the full satisfaction of the decree, but the same has not been supported by way of documentary proof by the petitioner/ Judgment Debtor, has rightly dismissed the same. I do not find any infirmity in the order, dated 13.06.2013 passed in E.A.No.4766 of 2012 in E.P.No.3908 of 2011 by the learned X Assistant Judge, City Civil Court, Chennai. Accordingly, this Civil Revision Petition stands dismissed. No costs.

28.02.2022

sts/vrc

Index : Yes/No

Internet : Yes/No



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J.NISHA BANU, J.,

sts

To:

The X Assistant Judge,
City Civil Court,
Chennai

Order made in
C.R.P.(NPD)No.3952 of 2013

Dated:
28.02.2022