

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THURSDAY, THE TWENTY FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE P.SAM KOSHY

CIVIL REVISION PETITION NO: 3583 OF 2023

Petition Under Article 115 of Civil Procedure Code against the Order dated 04/10/2023 Passed in E.P. No. 1077 of 2022 in ABR/CF/No. 309 of 2020 on the file of the Court of II Junior Civil Judge, City Civil Court at Hyderabad.

Between:

1. Santosht Kumar K, S/o. Gopal K., aged 45 years, Occ. Office Subordinate High Court of judicature, Court X, Madina, Hyderabad Rio. H No. 2-2-1093/82/10, Vinayak Nagar, Golnaka, Amberpet, Hyderabad
2. Mani, Rao E, S/o. Bheemaiah E Aged 40 years, Occ. Sr./ Technical Asst. B DERI DRDO, Kanchanbagh, Hyderabad Rio. H No. 2-3-790/B/15/A/13ER, Plot No.6, Tulasi Nagar Ram Nagar, Lanka, Golnaka, Amberpet, Hyderabad
3. Raju. S, S/o. S. Laxman Aged 42 years, Office Subordinate, High Court of judicature, Court X, Madina, Hyderabad R/o. Flat No. 102, Laxmi Apartments, Venkateshwar Colony Jillelaguda, Hyderabad

...PETITIONERS/JDRs 1,2 & 4

AND

1. M/s. Suman Chit Fund Private Limited, Ranigunj Branch, rep by its Foremen/br. Manager Mr. S. Narahari

...RESPONDENT/DECREE HOLDER

2. The Registrar, (Admin) High Court of Telangana, Madina Hyderabad
3. The Accounts Officer, DRDL, Kanchanbagh, Hyderabad

...RESPONDENT/RESPONDENT

4. Subir Kumar, G.S., S/o. G.T. Surya Prakash Aged 47 years, R/o. H No. 262, Lal Bazar, Tirumalgherry Secunderabad
5. K. Haritha, W/o. Santosh Kumar Aged 35 years, R/o. H No. 2-2-1093/82/10 Vinayaka Nagar, Golkana, Amberpet, Hyderabad

6. S. Ramesh, S/o. Narsimha, S. Aged 52 years, Proprietor, Sai Digital Photo Studio H No. 1-10-197, Ashok Nagar, Hyderabad R/o. H No. 1-3-183/39/0/6/1, Tallabasti, Kavadiguda, Musheerabad, Hyderabad .. Respondents/
Respondents 3, 5 and 6 Respondents 4 to 6 are not necessary parties in this CRP

...RESPONDENTS/RESPONDEDNTS 3,5 and 6

IA NO: 1 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to SUSPEND the operation of the Order of Salary Attachment Warrant dated 04/10/2023 passed in E.P. No. 1077 of 2022 in ABR/CF/No. 309 of 2020 on the file of court of the II Junior Civil Judge, City Civil Court at Hyderabad, pending disposal of main CRP.

Counsel for the Petitioners : SRI. AJAY KUMAR MADISETTY

Counsel for the Respondent No.2 : SRI. VIVEK JAIN

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE P.SAM KOSHY

CIVIL REVISION PETITION No.3583 of 2023

ORDER:

The challenge in the present Civil Revision Petition is to the order dated 04.10.2023 passed in E.P.No.1077 of 2022 in ABR/CF/No.309 of 2020 by the learned II Junior Civil Judge, City Civil Court at Hyderabad.

2. Heard Sri Ajay Kumar Madisetty, learned counsel for the petitioners and Sri Vivek Jain, learned counsel for the respondent No.2.

3. Vide the said impugned order, the Court below has attached the salaries of the petitioners herein. During the course of hearing, what has been reflected is that there was an arbitration award which was passed as early as on 06.01.2022 by the Deputy Registrar of Chits/Arbitrator. The said arbitration award is under challenge by way of an appeal before the Principal Secretary, Revenue Department, Government of Telangana, which is accompanied by an application for interim relief also. There does not seem to be any dispute so far as interim relief having been obtained or not.

4. In the teeth of the arbitration award being under challenge before the Principal Secretary, Revenue Department, Government of Telangana, and also in the light of an interim application being filed

with the appeal and which are pending consideration, this Court does not find any strong case made out by the petitioners calling for an interference to the impugned order. Nonetheless, the right of the petitioners to pursue the appeal and also the interim application would be left open.

5. Accordingly, the present Civil Revision Petition is rejected.
No order as to costs.

Consequently, miscellaneous petitions pending if any, shall stand closed.

**SD/- MOHD. ISMAIL,
ASSISTANT REGISTRAR.**

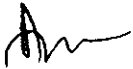
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SECTION OFFICER

To,

1. The II Junior Civil Judge, City Civil Court at Hyderabad
2. One CC to SRI. AJAY KUMAR MADISETTY, Advocate [OPUC]
3. One CC to SRI. VIVEK JAIN, Advocate [OPUC]
4. Two CD Copies

ADK

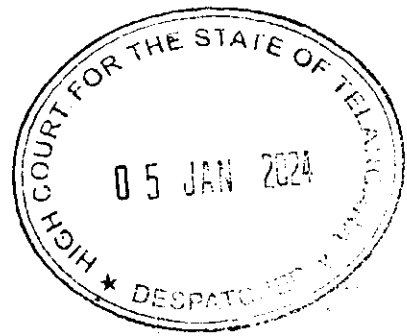


HIGH COURT

DATED:21/12/2023

ORDER

CRP.No.3583 of 2023



**REJECTING THE CRP
WITHOUT COSTS**

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