



C.R.P.No.2130 of 2015

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.R.P.No.2130 of 2015
and
M.P.Nos.1 & 2 of 2015

1.M/s.V.K.G.Steel & Energy P. Ltd.,
Now known as Noble Tech Industries P. Ltd.,
No.6/9, Kasturi Estate, 3rd Street, Poes Garden,
Chennai – 600 086.

2.Kamal

3.Venkatachalam

..Petitioners

Vs.

1.Badrinarayana Nandakishor Ladda

2.Amidaji

3.V.H.Shaffi

4.G.M.Shivakumar

..Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India praying to call for the records of the order dated 30.04.2015 in E.P.No.214 of 2014 in O.S.No.20 of 2009 on the file of the X Assistant City Civil Judge, Chennai and set aside the same.



C.R.P.No.2130 of 2015

WEB COPY

For Petitioners : Mr.Sundar Narayanan

For Respondents : Ms.T.G.Niranjana

for M/s.Surana & Surana for R1

R2 to R4 – given up

ORDER

The Revision is against the order directing attachment of the movables pending an execution petition.

2. By a judgment and decree dated 07.12.2012, the petitioner was directed to pay a sum of Rs.19,36,675/- being the value of 1489.750 metric ton of iron ore at Rs.1300/- per metric ton or return back the material viz., iron ore. In execution of the said decree the respondent has obtained attachment of certain movables belonging to the petitioner.

3. It is now brought to my notice that the petitioner had filed an appeal against the judgment in O.S.No.20 of 2009 on the file of the Principal Senior Civil Judge, Hospet, Karnataka before the High Court of



C.R.P.No.2130 of 2015

Karnataka and the same is pending. It is also seen that the High Court has granted stay of execution of the decree. In the light of the stay granted, this execution petition cannot be proceeded with.

4. Therefore, this Civil Revision Petition is **allowed**. The execution petition will stand dismissed. Needless to state that the respondent will have liberty to proceed afresh in the event it succeeds in the appeal. No costs. Consequently, the connected miscellaneous petitions are closed.

12.01.2024

dsa

Index : No

Internet : Yes

Neutral Citation : No

Speaking order

To

The X Assistant City Civil Judge,

Chennai.



WEB COPY



C.R.P.No.2130 of 2015

R.SUBRAMANIAN,J.

dsa

C.R.P.No.2130 of 2015

12.01.2024