APHC010539812026 **IN THE HIGH COURT OF ANDHRA PRADESH**

AT AMARAVATI

[3208]

(Special Original Jurisdiction)

FRIDAY, THE 30th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE D RAMESH

CIVIL REVISION PETITION NO: 2925/2026

Between:

1. CHEEKATI RAVIKATH, , S/O AYYANNA,AGED 58 YEARS, PHIRANGIPURAMVILLAGE MANDAL, GUNTUR DISTRIC.R/O D.NO. 7-3-2, 2 LINE, BONGARALABEEDU, GUNTUR.

...PETITIONER

AND

1. CHEEKATI JAYA SUDHA, W/O. RAVIKANTH,AGED ABOUT 50 YEARS. HOUSE-WIFE,R/O D.NO. 7-3-2,1ST LINE BONGARALABEEDU,GUNTUR.
2. THE DEPUTY EDUCATION OFFICER, ,DISTRICT EDUCATION OFFICERS OFFICE GUNTUR. GARNISHEE.

...RESPONDENT(S):

Petition under Article 227 of the Constitution of India,praying that in the circumstances stated in the grounds filed herein,the High Court may be pleased tobegs to present this Memorandum of Civil Revision Petition having been aggrieved by the Order dated 21-09 2026 passed in I.A.No. 527/2026 in O.S.No.174/2026, on the file of Court of the IV

Additiona District Judge Guntur

IA NO: 1 OF 2026

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 please to dispense with the filing of certified copies before this Hon'ble court along with CRP and pass

IA NO: 2 OF 2026

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 pleased to stay of all further proceedings in LA No. 527 of 2026 in O.S No. 174 of 2026 dated 21-09 2026 pending disposal of the above CRP and pass

Counsel for the Petitioner:

1. G ELISHA

Counsel for the Respondent(S):

1. SRINIVASULU P

The Court made the following order:-

1. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

2. The present Civil Revision Petition is filed aggrieved by the order dated 21.09.2026 passed in I.A.No.527 of 2026 in O.S.No.174 of 2026 on the file of the Court of the IV Additional District Judge, Guntur. The said interlocutory application was filed by the plaintiff/revision petitioner herein under Order XXXVIII Rule 5 of the Code of Civil Procedure, seeking attachment before judgment of the retirement/terminal benefits of respondent No.1/defendant No.1, which were lying in the hands of respondent No.2/garnishee. The Court below allowed the said I.A.No.527 of 2026 and directed attachment of the amount lying with the garnishee.

3. The learned counsel for the revision petitioner/husband submits that the petitioner is a kidney patient and requires a substantial amount towards his medical treatment and kidney transplantation. It is further submitted that the petitioner has also made an application under the Jeevandan Scheme of the Central Government for consideration of a donor for kidney transplantation. In connection with the said procedure, the petitioner is required to incur certain expenses. It is also submitted that the petitioner is undergoing dialysis twice a week and has to spend considerable amounts towards his medical treatment and other related

expenses. In view of the above medical circumstances, the petitioner seeks permission to withdraw a sum of Rs.24,00,000/- out of the total retirement/terminal benefits of Rs.60,00,000/-, which are presently under attachment.

4. The learned counsel appearing for the respondent/wife opposed the request for complete lifting of the attachment, but expressed no objection to permitting the petitioner to withdraw a portion of the attached amount.

5. Considering the submissions made by both the learned counsel and upon perusal of the material available on record, this Court is inclined to permit the revision petitioner/husband to withdraw a sum of Rs.24,00,000/- out of the total attached retirement/terminal benefits of Rs.60,00,000/-, in view of his medical condition and the expenses required for his kidney transplantation. Accordingly, the Civil Revision Petition is disposed of by modifying the order dated 21.09.2026 passed in I.A.No.527 of 2026 in O.S.No.174 of 2026 on the file of the Court of the IV Additional District Judge, Guntur, to the extent of lifting the attachment in respect of the said sum of Rs.24,00,000/-. The attachment in respect of the remaining amount shall continue. The other directions contained in the order passed by the Court below shall remain unaltered. There shall be no order as to costs.

As a sequel, miscellaneous petitions, if any, pending shall stand closed.

JUSTICE D. RAMESH

Issue C.C on 02.11.2026
B/O.
30.10.2026
Klk/gnp

THE HONOURABLE SRI JUSTICE D RAMESH

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