

**IN THE COURT OF THE I-ADDITIONAL JUNIOR CIVIL JUDGE,
ONGOLE.**

Present: **Sri Shaik Ibrahim Sharief**
I-Addl. Junior Civil Judge, Ongole.

(Wednesday, the 19th day of March, 2023)

E.P.No.126/2022
in
ARC.No.29/2020

BETWEEN:

M/s Sri Sai Anjana Chit Funds India Pvt, Ltd
Rep. by its Foreman/Branch Manager,
Ongole.

::: Decree Holder

AND

1. Shaik Nayeem Basha, S/o Late Shaik Gulab Basha,
Aged about 52 years, Muslim, Senior Assistant,
Office of Joint Director of Works Accounts,
Works and Projects, Pelluru camp Colony, Ongole.
Present Working as Superintendent in Pay and
Accounts Office, Pelluru Camp Colony, Ongole.
R/o D.No.37-01-4-07 (133), Present R/o D.No.26-42-084,
Bhagya Nagar 2nd Line Ward-6, Block No-3,
Park Road, Ongole.
2. Dammavalam Venkata Subba Rao,
S/o Lakshmi Narayana, Aged about 59 years,
Hindu, Superintendent,
Office of PAO Works and Projects,
Pelluru Camp Colony, Ongole,
R/o D.No.37-01-01(64) Annavarapadu,
Near Old LIC Office Road, Ongole.
3. Gummadi Sunil Gavasakar, S/o Seetha Ramaiah,
Aged about 34 years, Hindu, Junior Assistant,
Office of Irrigation Division, Prakasam Bhavan,
Ongole. R/o D.No.37-01-1(64) Annavarapadu
4th line, Near Old LIC Office Road, Ongole.
4. Pattan Rafi Khan, S/o P.Nagoormeera,
Aged about 37 years, Muslim, Junior Accountant,
Office of Joint Director of works Accounts,
Works and Projects, Pelluru Camp Colony,
Ongole. R/o D.No.37-01-408, Near Water Tank,
Bhagya Nagar 3rd lane, Ongole.

5. Battula Anil Raju, S/o B.Bala Swory,
Aged about 47 years, Hindu, Senior Assistant,
Office of Chamarthi Hemanth Kumar,
S/o Ch.Satyanarayana Guptha,
Aged about 53 years, Hindu, Senior Assistant,
Office of Joint Director of works Accounts,
Works and Projects, Pellur Camp Colony,
Ongole R/o 37-01-01-(84) Annavarapadu,
4th lane near MLA guest house, Ongole.

::: Judgment Debtor

*This execution petition is coming on today for final hearing before me in the presence of **Sri. N.Pothu Raju**, Learned Counsel for the Decree Holder and **Sri Shaik Hussian Basha**, Learned Counsel for the Judgment Debtor No.1 and upon hearing the arguments, upon considering the material available on record and the matter having been stood over for consideration, till this day, the Court made the following order:*

:: ORDER ::

1. This Execution Petition is filed for attachment of movables of Judgment Debtors 1 and 2 Under Order XXI Rule 43 and for proclamation and sell Under Rule 66 and 64 of CPC for realization of the decretal amount.

2. The brief avernments of the affidavit filed along with the petition by the Decree Holder is that after passing of the Award on 19.11.2019 the Decree Holder approached the Judgment Debtors for payment of the decretal amount but they did not pay the same. Therefore requested the Court to pass the orders for attachment of schedule mentioned movable properties against Judgment Debtors 1 and 2 Under Order XXI Rule 43 of CPC.

3. The 1st Judgment Debtor filed counter. The Notice of Judgment Debtor No.2 unserved. The brief avernments of the counter filed by the 1st Judgment Debtor are that the Judgment Debtor filed

Counter by stating that he is not having any immovable properties and that he has not sufficient means to maintain house and to discharge the alleged debt and he is unable to pay the debt amount. Therefore requested the Court dismiss the E.P.

4. At that stage, the Decree Holder through the Learned Counsel filed a memo stating that the Decree Holder Company not pressing the Execution Petition at present. Heard both sides. Perused the record. The memo filed by the Decree Holder is recorded.

5. In view of the discussion as taken up above, it is the evident that the Decree Holder company is not pressing the E.P against the Judgment Debtors hence the Execution Petition is liable to be dismissed as not pressed.

6. **IN THE RESULT**, the Execution Petition is dismissed as not pressed, without costs.

{{Dictated to the Stenographer (Grade-III) transcribed by her, corrected, signed and pronounced by me, in the Open Court, this the 19th day of April, 2023.}}

SD/-SHAIK IBRAHIM SHARIEF

**I-ADDL. JUNIOR CIVIL JUDGE,
ONGOLE.**

APPENDIX OF EVIDENCE
WITNESS EXAMINED
DOCUMENTS MARKED

NIL

SD/-SHAIK IBRAHIM SHARIEF
**I-ADDL. JUNIOR CIVIL JUDGE,
ONGOLE.**