

**IN THE COURT OF IV ADDITIONAL DISTRICT JUDGE
WEST GODAVARI AT TANUKU**

Present: **Smt D.Satyavathi**,
IV Additional District Judge, Tanuku

Friday, this the 9th day of January, 2026

E.P.No.88 of 2023 in ARC.1 of 2022

Between:

The Citizen Co-operative Society Limited, Rep. By its by the Manager Sri Magada Lova Raju, 40 years, Tadepalligudem.

... **Plaintiff/Dhr**

And

1. Karri Sai Lakshmi, W/o Karri Jitendra Ram Dora Reddy, 28 years, Business, D.No.34-9-31, Srinuvari Street, Tanuku.
2. Karri Jitendra Rama Dora Reddy, S/o Narayana Reddy, 33 years, Business, D.No.34-9-31, Srinuvari Street, Tanuku.
3. Karri Haarendra Venkata Durga Reddy, S/o Narayana Reddy, 34 years, Business, D.No.34-9-31, Srinuvari Street, Tanuku
4. Karri Sravani, W/o Karri Harendra Venkata Durga Reddy, 29 years, Business, D.No.34-9-31, Srinuvari Street, Tanuku
5. Satti Venkta Rama Krishna Reddy, S/o Venkateswara Reddy, 34 years, Business, R/o H.No.10-1-39, KN Road, Talla Mudunurupadu, Tadepalligudem, WGDt.
6. Satti Nagendra Krishna Reddy, S/o Venkateswara Reddy, 32 years, Business, R/o H.No.10-1-39, KN Road, Talla Mudunurupadu, Tadepalligudem, WGDt.

... **Defendants/Jdrs 1 to 6**

This Execution Application came up on 02-01-2026 for final hearing before me in the presence of **Sri K.S. Rama Krishna**, Advocate for the Dhr and **Sri R. Venkateswara Rao**, Advocate for the JDr Nos.1 to 4 and claim against JDr Nos.5 and 6 dismissed, upon hearing the counsel for the petitioner and the respondents and upon perusal of the material on record, having stood over for consideration till this day, this Court delivered the following:

ORDER

This execution petition is filed under Order XXI, Rule 64 to 66 of Code of Civil Procedure by the Decree Holder against the Judgment Debtors seeking to order for a test to the EP schedule property and thereafter, issue

sale notices and proclamation under Order XXI rule 64 to 66 Code of Civil Procedure and thereafter sell the EP schedule property in public auction for realization of decree debt and for costs.

2. **The pith and marrow of the petition is that:**

(i) He is working as Manager of the petitioner's bank. When the Jdrs failed to repay the loan availed from the Dhr branch, the same is referred the matter for sole arbitration under ARC.No.1 of 2022. The learned Arbitrator passed an award on 26.03.2022 directing the respondents 1 to 6 to pay jointly and severally to the claimant a sum of Rs.61,73,407/- towards the Term loan with interest at 18% per annum with monthly rests on the said amount till the date of award and subsequently to the award also with the same rate of interest till the date of payment of the award amount. A sum of Rs.71,000/- is awarded towards costs. The copy of the award is served to the Jdrs, by the learned Arbitrator, but the Jdrs neither paid the award amount nor preferred any appeal. So, the award became final. The loan is a secured loan and against the mortgage of EP schedule property, the loan is availed by the Jdrs. In case of failure on the part of the Jdrs, to pay the award amount within 30 days from the date of Award it is directed to sell the mortgage property. As the Jdrs did not redeem the mortgage within the redemption period, the EP schedule property shall be brought to sale to realize the EP debt. Hence, this petition.

3. On receipt of the notice, Sri R.Venkateswara Rao, Advocate filed vakalath on behalf of R1 to R4. But, they failed to file the counter despite giving several adjournments and as such the counter of JDRs 1 to 4 treated as NIL. Claim against the JDr Nos. 5 and 6 is dismissed as not pressed.

4. No oral or documentary evidence is adduced on behalf of the Decree Holder

5. Heard the DHR counsel.

6. On perusal of petition, petition affidavit, the following point arises for consideration of this court:

Whether the petitioner is entitled for an order of sale of the schedule of the petition schedule property?

7.Point:

Perusal of affidavit, it discloses that the contention of the Dhr is that JDR availed loan from their society and failed to repay the said loan and that the same is referred to Arbitrator under ARC.No.1 of 2022. The learned Arbitrator after considering the material available on record, passed an award on 26.03.2022 directing the respondents 1 to 6 to pay jointly and severally to the claimant a sum of Rs.61,73,407/- towards the Term loan with interest at 18% per annum with monthly rests on the said amount till the date of award and subsequently to the award also with the same rate of interest till the date of payment of the award amount. A sum of RS.71,000/- is awarded towards costs. The copy of the award is served to the Jdrs, by the learned Arbitrator, but the Jdrs neither paid the award amount nor preferred any appeal. So, the award became final. The loan is a secured loan and against the mortgage of EP schedule property, the loan is availed by the Jdrs. In case of failure on the part of the Jdrs to pay the award amount within 30 days from the date of Award, it is directed to sell the mortgage property. As the Jdrs did not redeem the mortgage within the redemption period, the EP schedule property shall be brought to sale to realize the EP debt.

8. On the other hand, the Claim against the JDr Nos. 5 and 6 is dismissed as not pressed and the respondents/JDRs 1 to 4 did not file their counter despite several adjournments granted by this court. No plea was taken by the JDRs 1 to 4 as to any objection regarding sale of E.P. Schedule property. This court do not find any reason why the schedule property not bring for sale under Order 21 Rule 64 to 66 CPC. Further, JDRs 1 to 4 failed to

bring any point tenable at law against the sale of Schedule property. Therefore it can be said that it is just and proper to order E.P. schedule property be sold to ensure the D.Hr., to enjoy the fruits of the decree. Accordingly point is answered.

9. For the reasons stated above, this Court is of the opinion that further step may be ordered for the sale of the schedule property. The petitioner is hereby directed to file sale papers and Encumbrance Certificate.

10. In the result, this petition under order XXI Rule 66 CPC is allowed. For filing of sale papers, ECs and Market value Certificate, Call on 10.02.2026

Typed to my dictation by the Typist, corrected, signed and pronounced by me in open court, on this the 9th day of January, 2026.

Sd/- D. Satyavathi,
IV Additional District Judge,
Tanuku.

Appendix of Evidence
Witnesses Examined/Documentary Evidence

For Dhr:

- None/Nil-

For Jdr:

Sd/- D. Satyavathi,
IV Additional District Judge,
Tanuku.

