

[3233]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

FRIDAY, THE TWENTY FOURTH DAY OF APRIL,

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN

CIVIL REVISION PETITION NO: 1073 OF 2026



Between:

Nagella Siva Prasad, S/o. Ramaiah, Aged 39 years, Occ: Employee (S.G. Teacher, M.P.P. School, Chakravarthula Palle Village, Chagalamarri Mandal), R/o. H.No.6/16-23/1, Padma Street, Allagadda Village and Mandal, Kurnool District.

Petitioner/Respondent/JDR

AND

Uppalapati Kumara Swamy Raju, S/o. Chengala Raju, Aged 58 years, Occ: Ayurvedic Doctor, R/o. H.No.6-2-12, T.B. Road, Allagadda Village and Mandal, Kurnool District.

Respondent/Petitioner/DHR

Petition under Section 115 of C.P.C, is filed being aggrieved by the order and decree passed in E.P.No.9 of 2023 in O.S.No.174 of 2014, dated: 25-02-2026 on the file of the court of the Civil Judge (Senior Division) :: Allagadda.

IA NO: 1 OF 2026

Petition under Section 151 CPC., is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant stay of all further proceedings of the order dated 25-02-2026 passed in E.P.No.9 of 2023 in O.S.No.174 of 2014, on the file of the court of the Civil Judge (Senior Division), Allagadda;

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri. CHALLA SIVASANKAR, Advocate for the Petitioner and of Sri. P NAGENDRA REDDY, Advocate for the Respondent;

The Court made the following ORDER:

Heard the learned counsel for the petitioner and Sri P.Nagendra Reddy, learned counsel takes notice for the respondent.

This revision is filed against the order in E.P. No.9 of 2023 in O.S.No.174 of 2014 on the file of Civil Judge (Senior Division), Allagadda dated 25.02.2026 ordering arrest of judgment debtor by issuing warrant of arrest on payment of process.

The learned counsel for the petitioner submits that already a portion of amount was cleared by the judgment debtor for a sum of Rs.1,77,232/- in 24 monthly instalments in E.P.No.49 of 2017 filed for recovery of salary. Without giving much gap, again this E.P. was filed to coerce the petitioner who is a salaried employee. But this E.P. is filed for a sum of Rs.5,70,904/-.

On the other hand, the learned counsel appearing for the respondent submits that the judgment debtor is deliberately avoiding to pay and delaying the instalments unnecessarily to harass the decree holder/ respondent herein though he is capable of paying the decretal amount in toto at one stretch.

In view of the above said facts and circumstances, to see the bonafides of the judgment debtor, as he is expressing his willingness to clear the decretal amount within a reasonable time, for the present, the petitioner is directed to pay Rs. 1,50,000/- within a period of four (4) weeks from the date of receipt of this order. Subject to the deposit of the above said amount to the credit of the above said E.P., the order in E.P. No.9 of 2023 in O.S.No.174 of 2014 on the file of Civil Judge (Senior Division), Allagadda dated 25.02.2026 is stayed pending further orders.

In default of deposit of the said amount within the above said time, the interim protection granted by this court automatically stands vacated. The proof of payment shall be produced both in the executing court and as well as in this court in connection with this case. ✓

List on 25.06.2026.

//TRUE COPY//

SD/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Civil Judge (Senior Division), Allagadda.
2. Uppalapati Kumara Swamy Raju, S/o. Chengala Raju, Aged 58 years, Occ: Ayurvedic Doctor, R/o. H.No.6-2-12, T.B. Road, Allagadda Village and Mandal, Kurnool District. (BY RPAD)
3. One CC to Sri. CHALLA SIVASANKAR, Advocate [OPUC]
4. One CC to Sri. P NAGENDRA REDDY, Advocate [OPUC]
5. One spare copy

JSS

HIGH COURT

BKM, J

DATED:24/04/2026

LIST ON 25.06.2026.

ORDER

CRP.No.1073 of 2026



DIRECTION