



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3332]

FRIDAY, THE SIXTH DAY OF MARCH
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

CIVIL REVISION PETITION NO: 1904/2025

Between:

Kurivella Bala Sudhakar,

...PETITIONER

AND

K Upendra Gupta

...RESPONDENT

Counsel for the Petitioner:

1.HIMA BINDU DRAKSHARAM

Counsel for the Respondent:

1.A K KISHORE REDDY

C.R.P. No.1904 OF 2025

Post on 13.03.2026.

I.A.No.1 of 2025:

Learned counsel for the petitioner, in elaboration to what has been stated in the affidavit, contends that despite taking the stand in the counter affidavit filed before the Court below that the petitioner herein/Judgment Debtor is not having sufficient means and capacity to repay the decretal amount and he is

ready to pay the same by selling his properties, his properties were attached through E.P.No.175 of 2019. Subsequently, the respondent herein/Decree holder filed E.P.No.103 of 2023 for arrest of the petitioner on the ground that the petitioner is trying to alienate the schedule property to third parties and go for Abraod. The Executing Court vide impugned order dated 01.07.2025, issued arrest warrant against the petitioner herein. If the order still subsists, it will curtail the civil liberty of the petitioner. He further submitted that when the properties were already attached by the Executing Court, the question of alienating such properties to the third party by the petitioner does not arise and the Court below has erroneously passed the impugned order. Hence, prayed to pass orders protecting the interest of the petitioner.

Perused the material available on record. The submissions made by the learned counsel for petitioner and the grounds raised in this Revision Petition *prima facie* makes out a point for consideration to be decided in this Revision Petition. Hence, this Court is inclined to grant the following interim direction:

There shall be stay of all further proceedings pursuant to the order dated 01.07.2025 passed in E.P.No.103 of 2023 in O.S.No.195 of 2006 on the file of the Court of Principal Civil Judge (Senior Division), Guntur for a period of two (2) weeks.

JUSTICE RAVI CHEEMALAPATI

Date: 06.03.2026

MP