

HIGH COURT OF ANDHRA PRADESH

MAIN CASE NO: C.R.P.No.2791 of 2023

PROCEEDING SHEET

Sl. No.	Date	ORDER	OFFICE NOTE
	14.02.2024	<u>BSB, J</u> Issue notice to R-1 & R-2. Learned counsel for the petitioner is permitted to take out personal service of notice to R-1 & R-2 through RPAD and file proof thereof. Post on 29.02.2024. <u>B.S.BHANUMATHI,J</u> <u>I.A.No.1 of 2023</u> This petition is filed to grant suspension of the order dated 22.08.2023 in E.P.No.123 of 2022 in O.S.No.585 of 2019 on the file of the Court of Principal Junior Civil Judge, Proddatur. The learned counsel for the petitioner/JDr submitted that the salary of the petitioner, even as per the execution Court is Rs.1,01,487/- and out of the same as per the award dated 13.05.2023 passed in O.S.No.91 of 2023 on the file the court of Principal Junior Civil Judge, Proddatur, Rs.34,500/- per month was being deducted and the said amount is equal to 1/3rd of the salary as per Section 60(1)(c) CPC and thereby no part of the salary is now available for attachment. He further submitted that inspite of	

taking such ground in the counter and evidence was placed, the execution Court again ordered attachment of salary to an extent of Rs.20,000/- per month for a period of 21 months and Rs.14,059/- in the 22nd month as per the impugned order dated 22.08.2023 in E.P.No.123 of 2022 in O.S.No.585 of 2019 of the same Court. He further submitted that the execution Court has wrongly recorded the net salary of JDr as Rs.2,36,936/- from the document filed before it, whereas the said amount represents the total amount payable to three Teachers and not the JDr alone.

In view of the above said mentions may based on record, interim suspension of the impugned order dated 22.08.2023 in E.P.No.123 of 2022 in O.S.No.585 of 2019 on the file of the Court of Principal Junior Civil Judge, Proddutur, as prayed for, is granted, till 29.02.2024.

B.S.BHANUMATHI,J

PNV