

[3217]

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE THIRTY FIRST DAY OF JULY

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CRP NO: 1825 OF 2026

Between

Bathini Thirupathaiah, S/o. B. Ramaiah.

.....PETITIONER/Judgment Debtor No. 5

AND

1. M/s. Margadarsi Chit Fund Pvt. Ltd, Karimnagar, having its Reg. Office at H.No.5-10-195, Fathemaiddan Road, Nampally, Hyderabad -500 004, having its Branch Office at Karimnagar, rep. by its Branch Managar/ Foreman K. Sresh Babu S/o. Narsaiah, Aged about. 55 years, R/o. H.No.2-6-280, 280/a, Mukarampura, Karimnagar.

Respondent/Decree Holder

2. Bollu Suresh, S/o. Shankaraiah, Aged about. 43 years, Occupation. Business, R/o. H.No.11-25-439/1, Kothawada, Warangal District. (Principal Borrower/JDR No.1)
3. Jettaboina. Naveen Kumar, S/o. Upendar, Aged about. 42 years, Occupation. Government Employee, R/o. H.No.11-25-507, Kothawada, Warangal District. (JDR No.2)
4. Gopaldas Sampath Kumar, S/o. Muthilingam, Aged about. 42 years, Occupation. Business, R/o. H.No.11-30-273, Auto Nagar, Warangal. Managing Partner of Somasai Medical and General Stores, Opp. Asian Mall, Balasamudram, Hanamkonda. (JDR No.3)
5. Bakkeri Kishore Kumar, S/o. Kishan, Aged about. 41 years, Occupation. Government Employee, R/o. H.No.2-10-666, Teachers Colony, Phase-I, Waddepalli, Hanamkonda. (JDR No.4)
6. Venne Srilatha, W/o. Kishore Kumar, Aged about. 29 years, Occupation. Household, R/o. H.No.2-10-666, Teachers Colony, Phase-I, Waddepalli, Hanamkonda. (JDR No.6)

(Respondents Nos. 2 to 6 are not necessary parties to this Petition)

.....RESPONDENTS 2 to 6/JDR Nos. 1 to 4, 6

Petition under Article 227 of the Constitution of India, praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to allow the Civil Revision Petition by setting the Order, Dt. 06-03-2026 in E.P. No.10 of 2026 in ABR No.857 of 2024, on the file of the Addl. Senior Civil Judge, at Karimnagar.

I.A. NO: 2 OF 2026

Petition under Section 151 of C.P.C praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to Stay all further proceedings in the E.P. No. 10 of 2026 in ABR No. 857 of 2024 on the file of the Addl. Senior Civil Judge, at Karimnagar, pending disposal of CRP No 1825 of 2026, on the file of the High Court.

The petition coming on for hearing, upon perusing the petition and the grounds filed in support thereof and upon hearing the arguments of Sri S B Md Irfan Ali Abbas Advocate for the Petitioner and Sri P Durga Prasad Advocate for the Respondent No.1, the Court made the following.

ORDER:

Heard learned counsel appearing for the revision petitioner/Judgment Debtor No. 5 and learned counsel appearing for respondent No. 1-Margadarsi Chit Fund.

Having heard the learned counsel on the question of maintainability of the Execution Petition before the Civil Court, instead of the Commercial Court, particularly in view of the contention that the Commercial Court alone has jurisdiction to execute the award passed by the Deputy Registrar in the light of the order of a coordinate bench of this Court in a Revision Petition, the salary attachment warrant dated 06.03.2026 issued against the revision petitioner/Judgment Debtor No. 5 in E.P. No. 10 of 2026 in A.B.R. No. 857 of 2024, on the file of the learned Additional Senior Civil Judge, Karimnagar, shall remain stayed till 07.08.2026.

Further, having regard to the issue involved, this Court requests Mr. Vedula Srinivas, learned Senior Counsel, to assist the Court as *Amicus Curiae* in resolving the aforesaid issue.

The Office is directed to furnish a set of the material papers to the learned Senior Counsel.

List the matter for hearing on 07.08.2026.

SD/- T. SRINIVASA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Addl. Senior Civil Judge, at Karimnagar.
2. K. Sresh Babu S/o. Narsaiah, Branch Managar/ Foreman, M/s. Margadarsi Chit Fund Pvt. Ltd, Karimnagar, having its Reg. Office at H.No.5-10-195, Fathemaiddan Road, Nampally, Hyderabad -500 004.
3. K. Sresh Babu S/o. Narsaiah, Branch Managar/ Foreman, M/s. Margadarsi Chit Fund Pvt. Ltd, Karimnagar, R/o. H.No.2-6-280, 280/a, Mukarampura, Karimnagar.[Address Nos. 2 to 3 By SPAD]
4. One CC to Sri. S B MD IRFAN ALI ABBAS Advocate [OPUC]
5. One spare copy

HIGH COURT

NTR, J

DATED: 31-07-2026

**LIST THE MATER FOR HEARING ON
07.08.2026.**

ORDER

CRP.No.1825 of 2026

DIRECTION

