

[3378]

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE EIGHTH DAY OF NOVEMBER

TWO THOUSAND AND TWENTY FOUR

:PRESENT:**THE HONOURABLE SRI JUSTICE P.SAM KOSHY****IA No. 2 OF 2024****IN****CRP NO: 3375 OF 2024****Between:**

1. Aruna Thotha, D/o T.Ramulu
2. Renuka Ambala, W/o A. Ramesh

...Petitioners

(Petitioners in CRP 3375 OF 2024

on the file of High Court)

AND

1. M/s Kapil Chits (Hyderabad) Private Limited, L.B.Nagar Branch,
R.R.District, rep. by Its Legal officer P.Harsha vardhan s/o P.Nagaraj
Kumar, r/o Hyderabad.
2. Mrs. Sathya Patta, w/o Ramesh, occ. Prop. N/s Sri Santhoshi Boutique
R/o.H.No. 5-3-645, Vijayapuri Colony, Phase-II Near Nagarjuna School,
Vanastalipuram, R.R.District.
3. Anand Gajula, s/o G.Yellaiah, occ. Senior Assistant, University of College,
r/o H.No. 4-7-50/C, Ragavendra Nagar, Nacharam, Hyderabad.
4. Ramesh Patta, s/o P.Satyanarayana, occ. Business, r/o H.No. 5-3-645,
Vijayapuri Colony, Phase-2, Near Nagarjuna School, Vanastalipuram,
R.R.District.
5. The Accountant, o/o University College For Women, Koti, Hyderabad.
(Respondents No.2 to 5 not necessary parties to this petition)

...Respondents

(Respondents in-do-)

Counsel for the Petitioner : SRI BATHINI UPENDAR**Counsel for the Respondents : ---**

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 grant stay of all further proceedings including the attachment of the salaries of the petitioners pursuant to the attachment orders issued in E.P. No.58 of 2024 in ABR.CF No.211 of 2021 dt.3-4-2024 on the file of the Junior Civil Judge, R.R.District at L.B.Nagar, pending disposal of CRP No.3375 of 2024, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER

This application is filed by the petitioners under Section 151 of Civil Procedure Code, 1908 praying the Court to grant stay of all further proceedings including the attachment of the salaries of the petitioners pursuant to the attachment orders issued in E.P.No.58 of 2024 in ABR.CF.No.211 of 2021, dated 03.04.2024 by the Junior Civil Judge, Ranga Reddy District at L.B.Nagar.

Heard the learned counsel for the petitioners.

Considering the specific contention of the learned counsel for the petitioners that the E.P. proceedings have been drawn in total contravention to the statutory provisions i.e., Sub-Rule 3 of Rule 55 of the Chit Rules, 2008, the action on the part of respondents in passing the order of attachment of salary is bad in law.

Further, taking note of a couple of similar Civil Revision Petitions which have been entertained by various Benches of this High Court where, on similar set of statements, interim protection has also been granted, this Court is of the considered opinion that a strong case has been made out by the learned counsel for the petitioners for grant of interim stay in the instant petition as well.

Accordingly, there shall be *stay* of all further proceedings including the attachment of the salaries of the petitioners pursuant to the attachment orders issued in E.P.No.58 of 2024 in ABR.CF.No.211 of 2021, dated 03.04.2024 by the Junior Civil Judge, Ranga Reddy District at L.B.Nagar, till the next date of hearing.

//TRUE COPY//

SD/-V.KAVITHA
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Junior Civil Judge, Ranga Reddy District at L.B.Nagar
2. P.Harsha vardhan s/o P.Nagaraj Kumar, Legal officer, M/s Kapil Chits (Hyderabad) Private Limited, L.B.Nagar Branch, R.R.District, R/o Hyderabad. (By RPAD)
3. One CC to SRI BATHINI UPENDAR Advocate [OPUC]
4. One spare copy

HIGH COURT

PSK,J

DATED:08/11/2024

ORDER

**IA NO.2 OF 2024
IN
CRP.No.3375 of 2024**

STAY

