

*** THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI**

+ CIVIL REVISION PETITION NO: 2928 of 2025

% Dated: 14.11.2025

Nethipadi SwarnalathaPetitioner

and

Maradana Seshagiri Rao
.....Respondent

! Counsel for the Petitioner : Sri T.S.B.V.Rama Reddy

^ Counsel for the Respondent : --

< GIST :

> HEAD NOTE :

? Cases referred :

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

CIVIL REVISION PETITION NO: 2928 of 2025

Nethipadi Swarnalatha

.....Petitioner

And

Maradana Seshagiri Rao

.....Respondent

DATE OF ORDER PRONOUNCED: 14.11.2025

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|--|--------|
| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment may be
Marked to Law Reporters/Journals. | Yes/No |
| 3. Whether Their Lordship wishes
to see the fair copy of the Judgment? | Yes/No |

RAVI NATH TILHARI, J

APHC010572522025



[3299]

FRIDAY, THE FOURTEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

CIVIL REVISION PETITION NO: 2928/2025

Between:

1. NETHIPUDI SWARNALATHA, W/O ISUKAPATI KARUNA KUMAR, AGED 50 YEARS, C/O K.S PRINCETON RUBBER INDUSTRY, PLOT NO. 5B, APIIC GREEN, INDUSTRIAL PARK, GAMBHEERAM VILLAGE, ANANDAPURAM MANDAL, VISAKHAPATNAM.

...PETITIONER

AND

1. MARADANA SESHAGIRI RAO, S/o Rama Rao, aged 46 years, R/o D.No. 48-13-28, S.R. Square, Janikirama Street, Srinagar Visakhapatnam.

...RESPONDENT

Counsel for the Petitioner:

1. T S B V RAMA REDDY

Counsel for the Respondent:

1.

The Court made the following:

ORDER:

Heard Sri T.S.B.V.Rama Reddy, learned counsel for the petitioner.

2. The petitioner is the judgment debtor in O.S.No.215 of 2021 in the Court of the VI Additional Civil Judge(Senior Division), Visakhapatnam. The plaintiff/respondent is the decree holder. O.S.No.215 of 2021 was decided vide the award of the Lok Adalat dated 12.11.2022 in terms of the compromise entered into between the plaintiff and the defendant of that suit i.e. the present petitioner. For execution of said award as decree of the Court, E.P.No.226 of 2023 was filed by the decree holder under Rules 54, 64 to 66 of Order XXI of the Code of Civil Procedure.

3. Learned counsel for the petitioner submits that in the Lok Adalat award, in terms of the settlement as per clause (3), to which attention of this Court has been drawn at page No.11 of the petition, the same plaintiff/decreed holder had filed O.S.No.220 of 2022 on the file of the III Additional Junior Civil Judge, Visakhapatnam for recovery of certain amount against the brother of the defendant(the present petitioner). The same was pending and there the date was fixed as 03.11.2022. As per the terms of

settlement in clause (3), the plaintiff had agreed to 'not press' O.S.No.220 of 2022 on the date fixed on 03.11.2022.

4. Learned counsel for the petitioner submits that in spite of said clause, O.S.No.220 of 2022 was not, 'not pressed' and O.S.No.220 of 2022 was finally dismissed on merits. Based on clause (3) of the terms of the compromise in the Lok Adalat award in O.S.No.215 of 2021, learned counsel for the petitioner submits that since the plaintiff/deGREE holder, did not, 'not press' O.S.No.220 of 2022, the Lok Adalat award passed in O.S.No.215 of 2021 could also not be liable for execution.

5. I have considered the aforesaid submission but do not find any force in the said submission.

6. O.S.No.215 of 2021 was decided vide the Lok Adalat award. So far as O.S.No.220 of 2022 is concerned, that is not against the same defendant but is against the brother of the defendant. On a specific query made to the learned counsel for the petitioner as to whether the amount for which the O.S.No.220 of 2022 was filed is the same amount as involved in O.S.No.215 of 2021, he submits that said suit was based on different promissory notes. So, the subject matter and the defendant of O.S.No.220 of 2022 are different than O.S.No.215 of 2021. The

Lok Adalat award based on compromise is final and binding between the plaintiff/respondent and the present petitioner/defendant, which cannot be said to be inexecutable.

7. This Court is of the view that even if the plaintiff/decreed holder in O.S.No.225 of 2021 did not, not press, another suit i.e. O.S.No.220 of 2022, in terms of clause (3) of the compromise in the Lok Adalat award, that would not disentitle him for execution of the award passed in O.S.No.215 of 2021.

8. No other argument was advanced.

9. I do not find any illegality of the order of the learned Execution Court.

10. The Civil Revision Petition is dismissed. No order as to costs.

As a sequel thereto, interlocutory applications, if any pending, shall also stand closed.

RAVI NATH TILHARI, J

Date: 14.11.2025

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B/o.

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THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

CIVIL REVISION PETITION NO: 2928 of 2025

Date:- 14.11.2025

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