

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CIVIL REVISION PETITION No.867 of 2015

ORDER:

The present Civil Revision Petition is filed under Article 227 of the Constitution of India, challenging the common order dated 31.12.2014 passed in I.A.Nos.1754 and 1755 of 2014 in O.S.No.12 of 2008, on the file of the learned Senior Civil Judge, Adoni, Kurnool District.

The facts in issue are as under:

The applications under Section 151 of C.P.C. for reopening of plaintiffs' evidence and under Order VI Rule 17 of C.P.C. for amendment of plaint were filed before the trial Court, but the same were dismissed on various grounds. Challenging the same, the present revision is filed.

The only ground urged by the counsel for the petitioners is that without giving an opportunity to argue the matter, the learned Senior Civil Judge is said to have reserved the case 'for judgment'. Hence, seeks an opportunity of being heard be given before delivering the judgment. If really the petitioners have not addressed any arguments in the main suit, it would be appropriate to advise the learned Senior Civil Judge to give an opportunity to the petitioners to advance their arguments based on the material available on record.

Having regard to the above, the present Civil Revision Petition is disposed of by advising the learned Senior Civil Judge, Adoni, Kurnool District to fix a date for hearing of the

case and the petitioners be given an opportunity of advancing their arguments in the main suit on the said date based on the documents on record.

There shall be no order as to costs.

As a sequel thereto, Miscellaneous Petitions pending if any in this Civil Revision Petition, shall stand closed.

C. PRAVEEN KUMAR, J

13.03.2015

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