

HON'BLE SRI JUSTICE S. RAVI KUMAR

CIVIL REVISION PETITION No.3723 of 2015

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ORDER:

This revision is preferred challenging order dated 01.06.2015 in I.A.No.736 of 2014 in O.S.No.53 of 2010 on the file of Senior Civil Judge, Sangareddy.

2. Revision petitioner herein was impleaded as 6th defendant on a petition filed by plaintiffs i.e., respondents No.1 to 4 herein invoking the provisions of Order 1 Rule 10 CPC. Aggrieved by the order of trial Court impleading the present revision petitioner as 6th defendant to the suit, this revision is preferred.

3. Plaintiffs i.e., respondents No.1 to 4 herein filed O.S.No.53 of 2010 seeking declaration of title and recovery of possession in respect of suit schedule plots and respondents No.5 to 9 herein are arrayed as defendants to the said suit. Subsequently, plaintiffs filed I.A No.736 of 2014 to implead this revision petitioner as 6th defendant on the ground that plaintiffs came to know that the title over the suit schedule property is defective and as the proposed defendant is the original vendor of the suit schedule property and his presence is necessary to decide the dispute in the suit. Revision petitioner herein opposed the application, but the trial Court on a consideration of material on record, observed that the presence of revision petitioner herein is proper and necessary for deciding the issues involved in the main suit.

4. Heard advocate for revision petitioner.

5. Advocate for revision petitioner submitted that the suit property was sold long back and the suit itself is filed in the year 2010 and no specific reasons are given in the plaint for not impleading the revision petitioner herein at the first instance itself. He submitted that the presence of this petitioner is not at all necessary, as plaintiffs cannot question the title of revision petitioner. He further submitted that trial Court without looking into these aspects, allowed application only on the ground for effective adjudication, presence of this petitioner is also necessary.

6. I have perused the impugned order dated 01.06.2015. As seen from the order, proposed party i.e., revision petitioner herein also contested application and it appears that no serious contest was there on behalf of revision petitioner and Court observed that the objections raised by revision petitioner can be pleaded by him through written statement and can contest the claim of plaintiffs. As the trial Court felt that the presence of revision petitioner herein is necessary for effective adjudication of the issues involved in the suit, I do not find any illegality or irregularity in the order of Court below, particularly, when revision petitioner has the opportunity of filing written statement and contesting the suit of plaintiffs.

7. For these reasons, I am of the view that there are no grounds to interfere with the order of the trial Court and that the revision is devoid of merits.

8. Accordingly, the Civil Revision Petition is dismissed at the admission stage. No costs. Miscellaneous Petitions, if any pending, in this petition, shall stand closed.

S. RAVI KUMAR, J

Date: 11-09-2015.
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