

HON'BLE SRI JUSTICE S.V. BHATT

C.R.P.No.278 of 2015

ORDER:

Heard Sri Y.Ashok Raj, learned counsel for the petitioner.

Through the order impugned in the revision, the learned trial Judge, after considering the totality of circumstances, permitted to file the chief affidavit of P.W.7 and declined the request in so far as other witnesses who are sought to be examined with the same tenor in oral evidence. O.S.No.8 of 2003 is for specific performance. The issues for decision in a suit for specific performance are well defined.

Learned counsel for the revision petitioner tried to persuade this Court that the evidence of the three witnesses now refused by the trial Court is material to prove the possession of petitioner/plaintiff and the order impugned suffers from material illegality.

Perused the material available on record.

From the material, it is evident that the trial Court, after noticing the stage at which these witnesses are introduced, has passed the order impugned. No illegality or irregularity is made out.

The civil revision petition is dismissed. No order as to costs.

Miscellaneous petitions, if any, pending in the revision petition shall stand closed.

S.V. BHATT, J

Date: 09.02.2015

KLP