

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Civil Revision Petition No.5632 of 2015

Date: 31.12.2015

Between:

Shaik Fathima Bi

..

Petitioner

and

Shaik John Bi

.. Respondent

Counsel for the petitioner: Mr.Kambhampati Ramesh Babu

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The Court made the following:

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Order :

This Civil Revision Petition arises out of Order, dated 07-10-2015, in IA.No.1149 of 2015 in OS.No.250 of 2004, on the file of the Court of the learned Principal Junior Civil Judge, Sattenapalli.

I have heard Mr.Kambhampati Ramesh Babu, learned Counsel for the petitioner, and perused the record.

The respondent filed the above-mentioned suit for partition against three persons including the petitioner, who is defendant No.3. The suit was coming up for the defendants' evidence from 20-09-2010. As the petitioner failed to file her chief-affidavit, her evidence was closed on 03-11-2010 and the case was posted for arguments. However, on an application filed by the petitioner, her evidence was reopened on 15-11-2010. On 31-05-2011, the petitioner has filed her chief-affidavit as DW.1 and the case was adjourned to 11-09-2014 for her cross-examination and on the said date, the suit was dismissed for default. However, the suit was restored on 15-07-2015. On 03-08-2015, the petitioner was cross-examined. Though the case

was adjourned thereafter from 06-08-2015 to 14-08-2015, the petitioner did not adduce further evidence. Hence, the lower Court has closed the evidence on the defendants' side and posted the case for arguments. At this stage, the petitioner filed IA.No.1149 of 2015 to reopen the matter for adducing further evidence.

In the above facts and circumstances of the case, the lower Court has dismissed the said application by observing that the same was filed with a view to drag on the suit proceedings.

After carefully considering the facts of the case and the reasons mentioned in the order under revision, I do not find any jurisdictional error therein. Hence, the Civil Revision Petition is dismissed.

As a sequel to dismissal of the Civil Revision Petition, CRPMP.No.7396 of 2015, filed by the petitioner for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 31st December, 2015
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