

THE HONOURABLE SRI JUSTICE DILIP B.BHOSALE
CIVIL REVISION PETITION No.3388 OF 2014

ORDER:

This Civil Revision Petition is against the order dated 11.08.2014 passed by the IV Additional Rent Controller, Hyderabad, whereby interim application filed by the respondents-tenants to recall PWs 1 and 2 for further cross examination has been allowed.

I have perused the order impugned, in particular paragraph No.6 thereof. For the reasons stated in this paragraph, I am not inclined to interfere with the order. It appears from the order that the learned Advocate for the respondents assured the Court that he would complete further cross examination of PWs 1 and 2 on the date that will be fixed by the Court and shall also advance final arguments on the same date.

Learned counsel for the petitioner submitted that filing of the application to recall PWs 1 and 2 was one more attempt on the part of the respondents/tenants to delay the proceedings. In other words, he challenged the order solely on the ground that it was not necessary to recall PWs 1 and 2 and the application for recalling them was filed only to delay the proceedings.

Having considered the submissions advanced by the learned counsel for the petitioner and so also the contents of the impugned order, I am satisfied that the following order shall meet the ends of justice:

‘the trial Court shall fix any date for further cross-examination of PWs 1 and 2 on or before 20.02.2015 and on that date if the respondents do not complete further cross examination of the witnesses, the Court below shall not adjourn the case at the request of the respondent and may proceed to hear and

decide it as expeditiously as possible and preferably within a period of six months therefrom, having regard to the age of the petitioner and respondent No.1. The parties shall not seek adjournment on frivolous grounds.'

With these observations, the Civil Revision Petition is disposed of. No costs.

All contentions of the parties on merits are kept open.

Miscellaneous petitions pending in the Civil Revision Petition, if any, also stand disposed of.

DILIP B.BHOSALE, J

23rd January, 2015.

Note : Issue C.C. in a week.

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