

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

CIVIL REVISION PETITION NO.4170 OF 2015

DATED:14-10-2015

Between:

Bhuchipudi Naga Kanyaka ... Petitioner

And

Dr. Bandlamudi Basaveswara Rao  
and others ... Respondents

... Respondents

COUNSEL FOR THE PETITIONER: Mr. Posani Subba Rao

COUNSEL FOR THE RESPONDENTS: -

THE COURT MADE THE FOLLOWING:

ORDER:

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This civil revision petition arises out of order dt.31.12.2014 in I.A. No.1183 of 2014 in O.S. No.135 of 2008 on the file of the II Additional District Judge, Guntur.

The petitioner is a third party to the above mentioned suit. She has filed I.A. No.1183 of 2014 under Order I Rule 10 of the Code of Civil Procedure, 1908, for her impleadment as defendant No.4 in the suit, on the plea that during the interregnum between dismissal of the suit for default and its restoration, she has purchased the property and that however she has sold the same to third party by indemnifying her for the loss, if any, that may be caused on account of the litigation. The lower Court by the order under revision has dismissed the said application.

With the sale of the property by the petitioner to a third party, she has lost interest over it. Therefore, even if she is a bona fide purchaser for a valuable consideration, she has no locus to come on record. If at all it is for the third party purchaser from the petitioner who, at her option, is entitled to get herself impleaded in the suit. Therefore, the order passed by the lower Court rejecting the request of the petitioner for her impleadment does not suffer from any jurisdictional error.

The civil revision petition is accordingly dismissed.

As a sequel to dismissal of the civil revision petition, C.R.P.M.P. No.5532 of 2015 shall stand disposed of as infructuous.

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C.V. NAGARJUNA REDDY, J

14-10-2015

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