

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

**CIVIL REVISION PETITION Nos.940, 986, 1103 and 1062 of 2015**

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**27.03.2015**

**Between:**

T.Venkat Ramdev

...Petitioner

And

N.Hanumantha Rao

...Respondent

Counsel for the petitioner: Sri Hari Sreedhar

Counsel for respondent: --

**The Court made the following:**

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**COMMON ORDER:**

All these civil revision petitions arise between the same parties with respect to two separate properties. The petitioner filed O.S.No.9 of 2012 in the Court of II Additional Junior Civil Judge, L.B.Nagar, Ranga Reddy District, for perpetual injunction against the respondent in respect of the property shown in the plaint schedule relating to that suit. The petitioner has also filed O.S.No.6 of 2012 in the same Court for a similar relief in respect of a different property shown in the plaint schedule of the said suit. In both the suits, trial was commenced and the evidence on the petitioner's side was closed. The respondent filed his chief examination affidavits in both the suits as D.W.1. When the suits were coming up for cross examination of D.W.1, the respondent, in O.S.No.9 of 2012, filed I.A.No.945 of 2014 for recalling P.W.1 for further cross examination and I.A.No.946 of 2014 for reopening the evidence on the

petitioner's side for further cross examination of P.W.1. In O.S.No.6 of 2012 also, the respondent filed I.A.Nos.949 and 950 of 2014 for similar reliefs. The lower Court by separate orders, dated 23.01.2015, allowed all these applications. Feeling aggrieved by these orders, the petitioner has filed the present Civil Revision Petitions.

A perusal of the orders of the lower Court shows that the main ground on which it has allowed the applications filed by the respondent was that as the cross examination of D.W.1 was not commenced yet, no prejudice will be caused to the petitioner. Sri Hari Sreedhar, learned counsel for the petitioner, strenuously contended that when there is no dispute with regard to the boundaries of the suit schedule properties, further cross examination of P.W.1 for putting certain questions regarding the boundaries of the suit schedule properties would not arise.

In my opinion, in the absence of any prejudice pleaded by the petitioner, the discretion exercised by the lower Court to recall P.W.1 for further cross examination does not warrant interference by this Court in exercise of its supervisory jurisdiction under Article 227 of the Constitution of India.

Therefore, these Civil Revision Petitions are dismissed. However, the lower Court is directed to endeavour to dispose of the suits as expeditiously as possible.

As a sequel to dismissal of the Civil Revision Petitions, miscellaneous petitions filed in these civil revision petitions shall stand dismissed as infructuous.

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**(C.V.NAGARJUNA REDDY, J)**

27<sup>th</sup> March, 2015

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