

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

C.R.P.Nos.5354 & 5461 OF 2015

COMMON ORDER:-

These Civil Revision Petitions are filed under Article 227 of the Constitution of India challenging the orders, dated 03.11.2015, in I.A.Nos.573 and 574 of 2015 in O.P.No.103 of 2012 passed by the Judge, Family Court, City Civil Court, Hyderabad.

2. Respondent/husband has filed O.P.No.103 of 2012 on the file of the Judge, Family Court, City Civil Court, Hyderabad against the petitioner/wife under Section 23 of the Indian Divorce Act, 1869 for dissolution of their marriage. In the O.P., respondent/husband filed his affidavit in lieu of chief examination as P.W.1 on 09.10.2012 and he was cross examined by the learned counsel for the petitioner/wife. When the matter was coming up for arguments, petitioner/wife has filed the aforementioned applications i.e., under Section 151 C.P.C. to reopen the evidence of the respondent/husband and under Order XVIII Rule 17 read with Section 151 C.P.C. to recall P.W.1 for further cross examination and the same were dismissed vide impugned orders. Challenging the same, she filed the present Civil Revision Petitions.

3. I have heard learned counsel for the petitioner and also perused the affidavits filed in support of the petitions.

4. Except stating that earlier, learned counsel for the petitioner/wife has not put some important questions to P.W.1 during his cross examination, no other valid reason is assigned to reopen the evidence of P.W.1 and to recall him for further cross examination.

5. For the aforesaid reason, I do not find any merit in these Civil Revision Petitions to invoke the jurisdiction of this Court under Article 227 of the Constitution of India.

6. Accordingly, these Civil Revision Petitions are dismissed. There shall be no order as to costs.

7. Miscellaneous Petitions pending, if any, in these Civil Revision Petitions shall stand closed.

JUSTICE R.SUBHASH REDDY

Date: 23.12.2015
AMD

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Dated: 23.12.2015

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