

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA
PRADESH**

CIVIL REVISION PETITION No.3056 of 2015

BETWEEN

Smt. V. Ramadevi

... PETITIONER

AND

1. V. Rama Naidu, S/o. V. Venkatarayulu Naidu, R/o.
Polinaidupalle Village, H/o. Kondepalle, Nallepalle post, G.D.
Nellore Mandal, Chittoor District, and another.

...RESPONDENTS

DATE OF JUDGMENT PRONOUNCED: 07.08.2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals? | Yes/No |
| 3. Whether Their Ladyship/Lordship wish to
see the fair copy of the Judgment? | Yes/No |

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THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

CIVIL REVISION PETITION No.3056 of 2015

ORDER:

None appears for the petitioner. Heard learned counsel for the respondents.

The defendants filed I.A.No.295 of 2015 in O.S.No.547 of 2011 before the learned Principal Senior Civil Judge, Chittoor District for appointment of Advocate Commissioner to record cross-examination of DW.1 at the house of 1st defendant on medical grounds as stated in the affidavit and to file deposition in the Court.

The petitioner herein opposed the said application. The Court below allowed the said application appointing an Advocate Commissioner. The Advocate Commissioner was directed to record the cross-examination of DW.1 in accordance with law by giving prior notice to both the parties and file his report on or before 4.07.2015 without fail.

The learned counsel for the petitioner challenged the said order primarily on the ground that the petitioner intends to confront several documents and the Advocate Commissioner will not be in a position to permit confrontation of documents and marking thereof.

I do not see any reason for the said apprehension of the petitioner. In as much as an Advocate Commissioner is appointed by the Court to record cross-examination of DW.1, which would include all necessary aspects of recording of cross-examination including confrontation of documents and marking of relevant documents. The learned counsel states that since the impugned order does not give

specific direction to that effect, the petitioner moved this Court by way of the present revision petition.

In my considered view such a direction is not necessary since the appointment of Commissioner includes recording of cross-examination including confrontation of documents and marking thereof in all respects. Hence I see no reason to interfere with the order of the Court below.

Accordingly, the Civil Revision Petition is dismissed. Miscellaneous petitions, if any, shall stand closed. No order as to costs.

VILAS V. AFZULPURKAR,J

7th August, 2015