

HON'BLE SRI JUSTICE R.SUBHASH REDDY

CIVIL REVISION PETITION No.444 of 2015

ORDER :

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed by the petitioner/defendant No.1 aggrieved by the order and decree dated 28.01.2015 in I.A.No.1527 of 2014 in O.S.No.77 of 2011 passed by the Principal Senior Civil Judge, Vijayawada, Krishna District, dismissing the application filed by her under Order 26, Rule 9 and Section 151 of C.P.C., seeking to appoint an Advocate-Commissioner to record her cross-examination.

2. Heard learned counsel for the petitioner/defendant No.1 and perused the impugned order.

3. The aforesaid suit filed by the respondents/plaintiffs for specific performance of the agreement of sale is coming up for cross-examination of D.W.1. At that stage, the petitioner/defendant No.1 has filed the present application seeking appointment of an Advocate-Commissioner to record her cross-examination. Except stating that she is suffering from hypertension and heart disease, no other valid reason is mentioned for

appointment of an Advocate-Commissioner, that too at the stage of her cross-examination. In view of the reasons assigned by the Court below, there are no merits in this revision warranting interference by this Court under Article 227 of the Constitution of India.

4. For the aforesaid reasons, this civil revision petition is devoid of merits and is accordingly dismissed. As a sequel, miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

JUSTICE R. SUBHASH

REDDY
13.02.2015.
Msr

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