

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

C.R.P.NO.2392 OF 2015

ORDER

Heard the counsel for the petitioner.

The suit filed by the plaintiffs/petitioners for injunction simplicitor is at the state of arguments and at that stage, the plaintiffs filed the present petition seeking to reopen the suit for adducing further evidence. From the record it could be seen that the plaintiffs earlier filed application seeking to examine the attester of the will Ex.A-1 and the same was dismissed and the revision filed before this court was also dismissed. Now the present application is filed to reopen the suit for examining the scribe and witnesses of the will. The earlier petition that was dismissed was for examining the attester and the same was dismissed and the present is to reopen the suit for examining the scribe and the witnesses to the suit will. Both the reliefs are identical and further the matter is at the stage of arguments and the trial court, in the impugned order, noted that the petitioners were given several opportunities and the present petition is filed to protract the litigation. Considering the facts and circumstances, I do not find any reason to interfere with the impugned order and the revision is liable to be dismissed and accordingly dismissed at the stage of admission. No costs.

Miscellaneous petitions, pending if any, shall stand closed.

G.CHANDRAIAH,J

DATE:10—07—2015

AVS