

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

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CIVIL REVISION PETITION No.3515 of 2015

Between:

P.Chinna Rami Reddy.

....Petitioner

and

T.Ganganna and another.

....Respondents

JUDGMENT PRONOUNCED ON : 18.12.2015

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO :

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

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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CIVIL REVISION PETITION No.3515 of 2015

ORDER:

The petitioner is the plaintiff in O.S.No.20 of 2011 on the file of the learned Additional Senior Civil Judge, Kurnool. The said suit was filed for recovery of money on the basis of a mortgage deed executed by the defendants. In the said suit, the evidence of the plaintiff was completed. At the time of evidence of the defendants, the defendants filed I.A.No.79 of 2015 seeking leave of the Court to file certain documents, and the said application was allowed by order dated 14.07.2015. Against the said order, the present Civil Revision Petition is filed.

The petitioners in I.A.No.79 of 2015 filed the said application

seeking permission of the Court to file three documents, and for the purpose of verifying whether those documents are relevant or not, this Court directed the learned Counsel for the respondents to file a copy of the written statement. After perusing the same, this Court is satisfied that there is foundation for those documents in the written statement. Hence, it cannot be said that those documents are irrelevant. The said documents are sought to be filed before commencement of evidence on behalf of the defendants. Therefore, no prejudice is caused to the plaintiff. The lower Court observed that mere receiving of the documents does not mean that the said documents have been proved and mere marking of the documents also does not mean that the document had been proved. In view of the settled legal position, allowing the application in I.A.No.79 of 2015 cannot be called as erroneous.

Hence, the Civil Revision Petition is liable to be dismissed and the same is, accordingly, dismissed. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

18.12.2015

vs