

THE HON'BLE SRI JUSTICE R. SUBHASH REDDY

CIVIL REVISION PETITION No.1979 OF 2015

ORDER:

This Civil Revision Petition is filed aggrieved by the order, dated 17.04.2015, in I.A.No.51 of 2015 in O.S.No.173 of 2015 passed by the VII Junior Civil Judge, City Civil Court, Hyderabad.

The respondent herein filed the aforesaid suit against the revision petitioner for eviction and recovery of arrears of rents. Pending the suit, the revision petitioner/defendant filed I.A.No.51 of 2015, under Order VII Rule 11 (e) read with Section 151 of CPC, alleging non-furnishing of copies of the documents to him and also non-filing of duplicate set of list of documents in the suit and, therefore, prayed to reject the plaint. After considering the matter in detail, the trial Court dismissed the I.A. through order dated 17.04.2015. Hence, this revision.

Heard the learned counsel and perused the material available on record.

Rule 11 of Order VII of CPC specifies the grounds on which plaint can be rejected. Clause (e) thereof reads as under:

“(e) where it is not filed in duplicate.”

From the above provision, it is clearly evident that

plaint can be rejected when its duplicate set is not filed along with original plaint. In the impugned order, the trial Court observed that on 02.04.2015, the respondent/plaintiff has served the documents on the revision petitioner in open Court and the duplicate plaint copy was enclosed along with the plaint. Having regard to the reasons stated in the impugned order, I do not find any ground to interfere with the same.

Accordingly, the revision is dismissed. No order as to costs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

JUSTICE R.SUBHASH

REDDY

19th June, 2015

v v

THE HON'BLE SRI JUSTICE R. SUBHASH REDDY

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