

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

* * * *

CIVIL REVISION PETITION No.1082 of 2013

Between:

Gundla Pramila and others.

....Petitioners

and

Likki Ram Reddy (died) and others.

....Respondents

JUDGMENT PRONOUNCED ON : 31.12.2015

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

-

CIVIL REVISION PETITION No.1082 of 2013

ORDER:

The plaintiffs are the petitioners herein. They filed O.S.No.806 of 2001 on the file of the learned II Additional Junior Civil Judge, Ranga Reddy District, at L.B.Nagar, challenging the revocation of gift settlement deed dated 23.05.2001 and registered sale deed dated 23.05.2001 executed by defendant No.1 in favour of defendant Nos.2 to 4. While the suit was pending, defendant No.1 died. The petitioners herein, who are the plaintiffs in the suit, are the daughters of defendant No.1. Defendant Nos.2 to 4 are the daughters-in-law of defendant No.1. The present application in I.A.No.5515 of 2006 was filed seeking condonation of delay of 1475 days in filing the application to set aside

the abatement caused due to the death of defendant No.1. The said application was dismissed on 02.11.2012 on the ground that the petitioners failed to give proper explanation for the delay. Challenging the said order, the present Civil Revision Petition is filed.

The proposed defendant Nos.5 to 7 are the brothers of the plaintiffs as they are the sons of deceased defendant No.1. The application to bring the legal representatives is only for continuation of the suit proceedings. In this case, the plaintiffs are also some of the legal representatives. The main contest is with regard to the revocation of the gift settlement deed in favour of the plaintiffs and execution of sale deed in favour of defendant Nos.2 to 4 on the same day.

Now it has come to the notice of the Court that evidence was completed and the case is coming up for arguments. It appears that defendant No.1 died without filing any written statement. Defendant Nos.2 to 4 are defending their case. Defendant Nos.2 to 4 are the wives of proposed defendant Nos.5 to 7. Since the evidence is already completed, this Court is not inclined to give an opportunity to the proposed defendants to lead any further evidence, but only for the purpose of continuation of the present proceedings, they can be impleaded.

In the circumstances, the impugned order dated 02.11.2012 in I.A.No.5515 of 2006 is set aside and the delay of 1475 days in bringing the legal representatives on record is allowed, subject to payment of Rs.3,000/- (Rupees three thousand only) to the Counsel for defendant Nos.2 to 4 in the suit, within a period of two weeks. Since the evidence was completed, the lower Court is directed to dispose of the suit as expeditiously as possible, but not later than 31.03.2016.

The Civil Revision Petition is, accordingly, allowed with costs. The miscellaneous petitions pending, if any, shall stand closed.

(A.RAMALINGESWARA RAO, J)

31.12.2015

VS