

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

FRIDAY, THE FIFTH DAY OF JUNE

TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

CIVIL REVISION PETITION No.1999 of 2015

BETWEEN

Gampalla Ramchandra Reddy.

... PETITIONER

AND

Dampuri Siva Kumar.

...RESPONDENT

Counsel for the Petitioner: MR. A. CHANDRAIAH NAIDU

Counsel for the Respondent: --NONE APPEARED--

The Court made the following:

-

-

-

ORDER:

I do not see any reason to interfere with the impugned order, particularly, as the petitioner/plaintiff instituted the suit for specific performance with a specific case claiming purchase from his father.

As a plaintiff, therefore, he cannot take inconsistent alternative plea and the present application, I.A.No.16 of 2015, proposing to take a stand that the suit property is an ancestral property and joint family property among the father and the brothers cannot be allowed to be contended. Moreover, the present document, which the petitioner proposed to introduce, is of the year 2003 and there is no explanation in the affidavit of the petitioner as to why he could not produce the said document throughout during the trial of the case. When the suit is at the stage of arguments, the Court below rightly declined to permit the petitioner's request. The Court below shall, therefore, endeavour to dispose of the suit itself expeditiously.

The civil revision petition is dismissed. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

June 5, 2015

DSK