

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

CIVIL REVISION PETITION No.722 of 2015

Dated : 20.03.2015

Between:

Bukkapatnam Chowdamma W/o.Krishna Murthy,
Aged about 53 yrs, Occu : Business,
R/o.D.No.15/524, Kamalanagar, Anantapuram

.. Petitioner

And

Bandi Prabhakar S/o.Nallappa, Aged 58 yrs,
R/o.Obuladevanagar, Anantapuram & others

.. Respondents

This Court made the following :

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ORDER :

The petitioner herein filed I.A.No.898 of 2014 in O.S.No.110 of 2013 on

the file of Additional Senior Civil Judge, Ananthapuram, praying to implead her as a defendant in the suit. The said I.A., was dismissed by order dated 07.02.2015. Aggrieved thereby, this Civil Revision Petition is filed.

2. As seen from the array of parties in O.S.No.110 of 2013 the petitioner herein is the 3rd defendant in the said suit. Though a memo is filed by the plaintiffs to delete the petitioner as 3rd defendant, so far no orders are passed and continues to be 3rd defendant in the suit. Therefore, the very filing of I.A., was erroneous, I therefore, do not see any error in the decision of the court below in dismissing the I.A.

3. Learned counsel for the petitioner fairly submits that the petitioner was already arrayed as a defendant and there was no need to file such an application and it was under mistaken impression the said I.A., is filed. Even when this revision is filed, there appears to be no realization of this mistake.

4. However, having regard to the submissions made by the learned counsel fairly across the Bar, while dismissing the Civil Revision Petition, it is made clear that any observations made in the order in I.A.No.898 of 2014 shall have no bearing on setting up defence by the petitioner as 3rd defendant to the suit.

5. Subject to above observations, the Civil Revision Petition is dismissed. There shall be no order as to costs.

6. Miscellaneous petitions, if any, pending in this Civil Revision Petition shall stand dismissed.

20th March, 2015
Rds

P.NAVEEN RAO,J