

HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

CIVIL REVISION PETITION No. 1327 of 2015

ORDER:

Heard learned counsel for the petitioner and learned counsel for the respondent.

The present Revision is filed under Article 227 of the Constitution of India questioning the Order dated 23.02.2015 passed in I.A. No. 117 of 2014 in O.S. No.262 of 2014 on the file of the Additional Junior Civil Judge, Husnabad, wherein and whereunder the learned Junior Civil Judge passed an order appointing Sri K.Shiva Shankar Goud, Advocate as an Advocate-Commissioner pending final orders to be passed in I.A. No.117 of 2014 in O.S. No.161 of 2014 on the file of the Additional Junior Civil Judge, Husnabad.

The facts which are not in dispute are that I.A. No.117 of 2014 in O.S. No.262 of 2014 is still pending before the Additional Junior Civil Judge, Husnabad, and it is being adjourned from time to time. Without any application by any of the parties, the Court *suo motu* appointed Sri K.Shiva Shankar Goud, Advocate as an Advocate-Commissioner. The said order of appointing Advocate-Commissioner is subject matter of challenge in this C.R.P.

Reliance was placed by the learned counsel for the petitioner on the judgment of this Court in **G.Parvatha Reddy v. Boya Nagarjuna @ Nagarjuna Rao**^[1] and an order of this Court in **C.R.P. No.4153 of 2014**, wherein it has been held that appointing an Advocate Commissioner *suo motu* by the court is not permissible. In view of the judgment referred to above, the docket order dated 23.02.2015 in I.A. No.117 of 2014 in O.S. No.262 of 2014 on the file of the Additional Junior Civil Judge at Husnabad is set-aside leaving the parties to work out their remedies.

Accordingly, the Civil Revision Petition is allowed. No order as to costs. Miscellaneous petitions pending if any in this Civil Revision Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

Date:07.08.2015

C.C. in five days
B/o.
GM

—

[\[1\]](#) 2006(1) ALT 146