

HON'BLE SRI JUSTICE S.V.BHATT
CIVIL REVISION PETITION No.2403 of 2015

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ORDER:

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Heard Sri K.Muralidhar Reddy, learned counsel for the revision petitioner.

The revision petitioner-plaintiff filed this revision aggrieved by the order, dated 11.02.2015, dismissing I.A.No.552 of 2014 in O.S.No.212 of 2008 in the Court of the Principal Junior Civil Judge. The revision petitioner prayed for passing a judgment and decree based on the alleged unambiguous and categorical admissions in the written statement. The respondents herein opposed consideration of the prayer in the instant I.A., on various grounds available in law and fact. Learned trial Judge having regard to the nature of controversy, pending trial in the suit, declined to consider the prayer of the revision petitioner. Hence, this revision.

Learned counsel for the petitioner to persuade this Court has vehemently argued that a bare look at a few of admissions in the written statement avoids unnecessary trial on admitted issues. Learned counsel takes exception to the findings recorded by the learned trial Judge.

The submissions of learned counsel for the petitioner are noted and perused the material available on record including the alleged admissions on which the revision petitioner prays for

passing a decree.

Having regard to the stage of the suit and also the averments stated in the counter filed in I.A.No.552 of 2014, I am not inclined to exercise the jurisdiction of this Court under Article 227 of the Constitution of India. As the cross-examination of P.W.1 is under way, I consider it appropriate, while dismissing the civil revision petition, to direct the learned trial Judge to dispose of O.S.No.212 of 2008 within two months from the date of receipt of a copy of this order.

With the above observations, the civil revision petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

S.V.BHATT,J

Dt:21.08.2015

kdl