

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

CIVIL REVISION PETITION No.1608 of 2015

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01.05.2015

Between:

Bantu Sathaiah

...Petitioner

And

Kavali Bandaiah and others

...Respondents

Counsel for the petitioner: Mr.Suresh Bhaktula

Counsel for respondents: --

The Court made the following:

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ORDER:

This civil revision petition arises out of the order, dated 17.07.2014 in I.A.No.60 of 2013 in O.S.No.77 of 2011 on the file of learned Junior Civil Judge, Vikarabad, Ranga Reddy District.

I have heard the learned counsel for the petitioner and perused the record.

The petitioner filed the aforesaid suit for permanent injunction in respect of agricultural land situated in survey No.271. He has filed the aforementioned I.A. for appointment of an Advocate Commissioner for demarcation of the land in order to ascertain whether the respondents encroached into survey No.271 or are in possession of land in survey No.277 only. The lower Court dismissed the said application with liberty to the petitioner to file a fresh application with the same relief

after completion of his evidence.

In my opinion, the lower Court has not committed any jurisdictional error in dismissing the aforesaid I.A., for the reason that if the petitioner is able to produce sufficient evidence in support of his plea that the respondents have encroached into survey No.271, there will be no necessity for demarcating the land. In this view of the matter, I do not find any merit in this revision.

The Civil Revision Petition is accordingly dismissed.

As a sequel to dismissal of the Civil Revision Petition, C.R.P.M.P.No.2160 of 2015 filed by the petitioner for interim stay shall stand dismissed as infructuous.

(C.V.NAGARJUNA REDDY, J)

01st May, 2015

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