

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

CRP.No.2231 of 2015

Between:

U.Pedda Eranna

-

... Petitioner/Appellant (s)

and

Ganthi Nagi Reddy and three others.

-

... Respondent (s)

DATE OF JUDGMENT PRONOUNCED: 07.08.2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

- | | | |
|-------|---|---------------|
| 1 | Whether Reporters of Local newspapers
may be allowed to see the Judgments? | <u>Yes/No</u> |
| <hr/> | | |
| 2 | Whether the copies of judgment may be
marked to Law Reports/Journals | <u>Yes/No</u> |
| <hr/> | | |
| 3 | Whether Their Ladyship/Lordship wish to
see the fair copy of the Judgment? | <u>Yes/No</u> |

-

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

CIVIL REVISION PETITION No.2231 OF 2015

-

ORDER:

This Civil Revision Petition is filed against the docket order dated 02.02.2015, passed by the Junior Civil Judge, Yemmiganur, in IA.No.591 of 2014 in OS.No.35 of 2010, whereby the Court below dismissed the application filed by the petitioner/plaintiff herein for issuing summons to the witnesses detailed in the petition schedule and produce the documents mentioned in the petition schedule and also give evidence on their behalf.

Learned counsel for the petitioner submits that the trial Court dismissed the application only on the ground that the documents which sought to be produced were already marked and they are part of record; and that though the documents are filed they have to be proved by examining the person who has got knowledge about the said documents, and that without keeping the said aspect in the mind the Court below dismissed the application.

On the other hand learned counsel appearing for the respondents submits that these are all official documents and they are already marked, as such there is no question of again summoning the official witnesses for that purpose.

It is to be seen that the plaintiff filed suit for declaration of title and recovery of possession and the respondents/defendants have taken a plea that they have purchased the said property from the plaintiff by virtue of agreement of sale which is validated subsequently and basing on the same mutation has been effected. When the documents are filed by the respondents and relying on the same, it is for the respondents to prove the same. It is not known as to why the petitioner has filed the present application. In view of the same, there are no merits in the CRP and the application filed by the petitioner is misconceived.

Accordingly, the CRP is dismissed. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the CRP shall stand closed.

A.RAJASHEKER REDDY, J

07.08.2015
tk

