

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

CIVIL REVISION PETITION No.1490 of 2012

ORDER:

This Civil Revision Petition is filed aggrieved by the order, dated 18.11.2011, passed in I.A.No.186 of 2010 in O.S.No.816 of 2007 on the file of the II-Additional Senior Civil Judge, Vijayawada.

The petitioner herein filed the aforesaid suit, for partition, against the 2nd respondent herein. He claimed share in the property on the basis of the gift deed, dated 31.08.2002, alleged to have been executed in his favour by the 1st respondent herein, who is the third party to the suit. Stating that as the said gift deed was cancelled on 02.12.2006, the petitioner is not entitled to any share in the property, the 1st respondent herein has filed the present I.A., seeking to implead him as the 2nd defendant in the suit, and the same was allowed by the impugned order dated 18.11.2011. Hence, this revision is filed.

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

The question as to whether the cancellation of the gift deed is valid or not, cannot be gone into at this stage.

But, as it is not in dispute that originally the 1st respondent herein, who is the petitioner in the present I.A, was the absolute owner of the property and that basing on a gift deed alleged to have been executed by him, the suit is filed by the petitioner herein, this Court is of the view that there is no illegality in the impugned order.

For the aforesaid reasons, this Civil Revision Petition is devoid of merits and the same is, accordingly, dismissed. However, as the suit is of the year 2007, the trial Court is directed to dispose of the suit as expeditiously as possible, preferably within a period of six months from the date of receipt of a copy of this order. No order as to costs.

The miscellaneous petitions, if any, pending in this Civil Revision Petition shall stand closed.

R.SUBHASH REDDY, J

20.02.2015

v v