

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Civil Revision Petition No.3425 of 2015

Date: 29-12-2015

Between:

Uma Devi and 2 others

.... Petitioners

AND

Sudhakar Reddy

.... Respondent

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Civil Revision Petition No.3425 of 2015

ORDER:

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The defendants in O.S.No.395 of 2010 on the file of Principal Junior Civil Judge, Chittoor are the petitioners herein. The respondent herein filed the said suit seeking permanent injunction in respect of the land admeasuring Ac.0.15 cents in Survey No.179 of Greasmpet village, Chittoor Mandal, Chittoor District. The evidence of the plaintiff was completed on 02-06-2015. When it was coming up for the evidence of the defendants, since the defendants were not present, the evidence of the defendants was closed and the suit was posted for arguments. The 3rd petitioner herein filed a petition in I.A.No.454 of 2015 seeking to reopen the case for adducing the evidence on behalf of the defendants and the said application was dismissed, on the ground that the proviso to Rule-1 of Order 17 CPC shows that no adjournments shall be granted more than three times to a party. The application was dismissed by order dated 03-07-2015. The trial in the suit commenced only in the year 2014 and

the defendants cross-examined the witnesses of the plaintiff. Though the reasons shown by the petitioners in their application is not convincing, in order to give them an opportunity, the order dated 03-07-2015 passed in I.A.No.454 of 2015 in O.S.No.395 of 2010 by the learned Principal Junior Civil Judge, Chittoor is set aside and the said application is allowed on payment of costs of Rs.1,000/- (Rupees one thousand only) payable to the plaintiff within a period of two weeks from the date of receipt of a copy of the order. The revision petitioners shall adduce their evidence and complete the same on or before 31-03-2016 and the suit itself shall be disposed of on or before 30-04-2016.

The Civil Revision Petition is allowed accordingly. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 29-12-2015

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