

HON'BLE SRI JUSTICE R. SUBHASH REDDY

CIVIL REVISION PETITION No.3374 of 2015

ORDER :

This civil revision petition is filed under Article 227 of the Constitution of India, by the plaintiff in the suit in O.S.No.1787 of 2011, aggrieved by order dated 06.07.2015, passed by the learned 1st Senior Civil Judge, City Civil Court, Hyderabad, appointing Advocate-Commissioner to record the evidence of DW-1.

Heard learned counsel for petitioner.

The only contention advanced by the learned counsel for petitioner is that the impugned docket order is passed by the trial Court, appointing Advocate-Commissioner to record the evidence of DW-1, without assigning valid reasons.

I have perused the impugned order passed by the learned 1st Senior Civil Judge, City Civil Court, Hyderabad. It appears that DW-1, who is being examined on behalf of the respondent herein, does not know any other language except Urdu and Hindi. It also appears that both the counsel appearing on either side are acquainted with Urdu and Hindi, but as much as the Presiding Officer is not acquainted with Urdu and Hindi languages, he appointed Advocate-Commissioner to record the evidence of DW-1.

Having regard to the reasons stated in the impugned

order, this Court is of the view that the order passed by the trial Court is within the scope of Order 26 Rule 4A of CPC, and there is no merit in this revision petition, so as to exercise the revisional jurisdiction under Article 227 of the Constitution of India.

The revision petition is accordingly dismissed. No costs.

Pending miscellaneous applications, if any, shall stand closed.

R. SUBHASH REDDY, J

4th September 2015

ajr