

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

CIVIL REVISION PETITION Nos.2047, 2051 and 2237 of 2011

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COMMON ORDER:

These Civil Revision Petitions, under Article 227 of the Constitution of India, are directed against the orders, dated 29.04.2011, in I.A.Nos.405, 406 and 404 of 2011 respectively passed by the I Additional Senior Civil Judge, Nellore.

2. These Interlocutory Applications under Section 151 of the Code of Civil Procedure, 1908 are filed 1) to recall D.Ws.2 and 3 in order to cross-examine them on behalf of the petitioner/defendant; 2) to set aside the eschewed order, dated 11.04.2011, by permitting the petitioner to proceed with the case and 3) to open the evidence of the petitioner in order to cross-examine D.Ws.2 and 3 on behalf of the petitioner/defendant and the same were dismissed on the ground that though the suit was adjourned from time to time for evidence on behalf of the petitioner, the petitioner is continuously absent in spite of imposing costs and though the matters were posted as last chance, the petitioner is not diligent in prosecuting the case.

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

4. A perusal of the impugned orders shows that though the suit was posted for evidence on behalf of the petitioner, the petitioner was continuously absent in spite of imposing costs and posted as a last chance. In spite of giving several opportunities to adduce evidence on behalf of the petitioner, the petitioner did not adduce any evidence and therefore, the Court below has rightly dismissed the petitions. Even before this Court also the matters underwent several adjournments. More so the suit is of the year 2003. There is no illegality or irregularity committed by the Court below in passing the impugned orders.

5. Accordingly, all the Civil Revision Petitions are dismissed with costs. Miscellaneous petitions, if any, pending in these revision petitions shall stand closed.

A.RAJASHEKER REDDY, J

Date: 20.03.2015

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