

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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CIVIL REVISION PETITION No.513 of 2014

ORDER:

Heard the learned counsel for petitioners and the learned counsel for respondent.

2. The petitioners herein are defendants in O.S.No.195 of 2005 on the file of the Court of the Junior Civil Judge, Vikarabad, Ranga Reddy District (for short, trial Court). The respondent herein filed the said suit for recovery of possession in respect of Ac.0-11 guntas of land in survey No.81/AA1/AA out of Ac.0-37 guntas, situated at Dathapur Village, Nawabpet Mandal, Ranga Reddy District and for its demarcation by fixing boundary stones. The arguments in the suit were completed and it was posted for judgment on 31.07.2013. At that stage, the present application i.e., I.A.No.180 of 2013 for appointment of an Advocate Commissioner was filed by the respondent on 08.08.2013. The trial Court, by its order dated 28.11.2013, allowed the said application. Challenging the same, the present Civil Revision Petition is filed.

3. This Court granted interim stay for a period of two weeks, by order dated 06.03.2014, and later on the case came up for consideration before this Court on this day.

4. The learned counsel for the petitioner submits that the respondent filed the present application to demarcate the land with the assistance of an Advocate Commissioner, which is not permissible under law. The learned counsel for the respondent, on the other hand, fairly submits that the present application is made only to measure the land as per the dimensions mentioned in it and to submit a report to the Court for coming to the proper conclusion.

5. In view of the rival submissions, this Court clarifies the order appointing the Advocate Commissioner to measure the suit schedule property and submit a report to the Court instead of demarcating the suit schedule property as prayed for in the application. The Advocate Commissioner shall be appointed and be asked to submit his report within a period of one month. The trial Court is directed to dispose of the suit on or before 31.01.2016 and the parties to the suit shall cooperate for the same.

6. The Civil Revision Petition is, accordingly, disposed of. No order as to costs. Miscellaneous Petitions, if any pending, shall stand closed.

A.RAMALINGESWARA RAO, J

Date: 20.11.2015

TJMR