

THE HON'BLE SRI JUSTICE R. SUBHASH REDDY

CIVIL REVISION PETITION No.2026 OF 2010

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ORDER:

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed by the defendant in O.S.No.560 of 2007 aggrieved by the order, dated 29.03.2010, passed in I.A.No.1301 of 2009 in the said Suit by the learned II Additional Senior Civil Judge, Vijayawada.

In the aforesaid Suit filed by the respondent – plaintiff for partition and separate possession of the suit schedule property, initially, a preliminary decree was passed and aggrieved by the same, the petitioner has preferred an appeal. Thereafter, in the final decree proceedings, a Commissioner was appointed and he has submitted his report. To the said report, the petitioner has filed objections and to receive such objections, the present application was filed, but the Court below, by impugned order, dated 29.03.2010, has not taken into consideration such objections on the ground that they were not filed in time and based on the report of the Commissioner, lots were already drawn.

When the matter is called, it is represented that the

appeal preferred by the petitioner is rejected confirming the preliminary decree passed by the trial Court. In any event, in view of the reasons recorded in the impugned order, I do not find any illegality in the impugned order passed by the Court below, so as to interfere with the same.

Accordingly, the revision petition is dismissed. Miscellaneous Petitions, if any, pending in this revision petition shall stand closed. No costs.

R.SUBHASH

REDDY, J

27th January, 2015
MD