

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

**FRIDAY THE TENTH DAY OF JULY
TWO THOUSAND AND FIFTEEN**

HONOURABLE SRI JUSTICE S.V. BHATT

CIVIL REVISION PETITION NO. 1763 OF 2015

Between:

Puvvada Radhakrishna Murthy ... Petitioner

V/s.

Devisetty Venkatasuresh Babu ... Respondent

Counsel for the Petitioner : Sri G.Vasantha Rayudu

Counsel for the Respondent : Sri P.Sridhar Reddy

The court made the following : [order follows]

HONOURABLE SRI JUSTICE S.V. BHATT

CIVIL REVISION PETITION NO. 1763 OF 2015

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ORDER :

Heard Sri G.Vasantha Rayudu, learned counsel for the petitioner and Sri P. Sridhar Reddy, learned counsel for the respondent.

2. The defendant in O.S.No. 174 of 2013 in the court of I-Additional Junior Civil Judge, Nellore, is the Revision Petitioner. The Revision Petitioner filed I.A.No. 373 of 2014 in OS.No. 174 of 2013 to re-entrust the warrant to the Advocate-Commissioner to visit the suit schedule property and measure the properties of both parties with the assistance of a surveyor and file additional report. From a bare reading of the prayer, it is evident that at the instance of one of the parties, the Advocate-Commissioner was appointed, the report of the learned Advocate-Commissioner was filed in the suit and the same is considered by the trial court.

3. Be that as it may, once a report is filed by the Advocate-Commissioner it is upon to the parties to follow

the procedure by filing objections and request the trial court to consider the objections filed against the report. As rightly observed by the trial court, the request for re-entrustment of warrant at this stage does not arise. If objections are already filed, the trial court is directed to consider the objections. If objections are not filed by any of the parties, it is open to them to file objections and request the court to consider their objections. Therefore, at this stage entrustment of warrant to Advocate-Commissioner does not arise.

4. With the above observation, the Civil Revision Petition is dismissed. No order as to costs.

5. As a sequel, Miscellaneous Petitions if any, pending in this civil revision petition shall stand closed.

JUSTICE S.V. BHATT

10/07/2015
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HONOURABLE SRI JUSTICE S.V. BHATT

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