

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

CIVIL REVISION PETITION No.4690 OF 2015

ORDER:

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The order impugned is the one passed by the learned Principal Senior Civil Judge, Madanapalle, wherein the application in I.A.No.286 of 2015 filed by the first respondent herein under Order IX, Rule 9 of C.P.C to set aside the dismissal order in I.A.No.949 of 2012, dated 08.04.2012, was allowed.

Though learned counsel for the petitioners has raised several contentions, in view of the detailed reasons given in the impugned order and the discretion exercised by the trial Court in setting aside the order of dismissal in the said I.A.No.949 of 2012, I do not find any compelling reason to interfere with the same. The petitioner is already given liberty to contest in I.A.No.949 of 2012, which the petitioner may as well avail and the Court below shall fix an early date for hearing of the said I.A. and pass appropriate orders in the said I.A., preferably before 31.12.2015.

Accordingly, the Civil Revision Petition is disposed of. Miscellaneous petitions, if any, pending in this Civil Revision Petition, shall stand closed. No order as to costs.

VILAS V. AFZULPURKAR, J

Date:09.11.2015

vhb

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