

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

Civil Revision Petition No.3143 of 2015

Between:

The United India Insurance Co. Ltd. rep.
by its Divisional Manager, Visakhapatnam,
rep. by its Manager, United India Insurance Co. Ltd.
Hyderabad.

.... Petitioner

Vs.

Smt.Dommeti Sarada W/o.late Rambabu & Ors.

.... Respondents

DATE OF JUDGMENT PRONOUNCED: 14.08.2015.

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

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| 1 | Whether Reporters of Local newspapers may be allowed to see the Judgments? | Yes/No |
| 2 | Whether the copies of judgment may be marked to Law Reports/Journals | Yes/No |
| 3 | Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment? | Yes/No |

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

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Civil Revision Petition No.3143 of 2015

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ORDER:

Heard Sri S.Venkateswarlu, Learned Counsel for the petitioner, and Sri G.Venkat Reddy, Learned Counsel for the respondents.

The order under revision is the order passed in I.A.No.341 of

2015 in MOP No.692 of 2012 dated 30.03.2015. This application in I.A.No.341 of 2015 was filed by the 2nd respondent in the O.P. to give them an opportunity to adduce further evidence.

In the affidavit filed in support of the I.A., it is stated that the matter was posted to 16.03.2015 for examination of the doctor from the General Hospital, Steel City, Visakhapatnam; as the advocate had refrained from attending Courts, the matter was reposted to 17.03.2015, on which date RW.3 was cross-examined; as the counsel for the respondents was absent on that date, the matter was posted to 23.03.2015 for arguments after closing the evidence of the respondents; non-appearance of the counsel on that date was neither willful nor wanton; and, as further evidence of the respondents was closed, the present I.A. was filed to reopen the matter to enable the 2nd respondent to adduce further evidence.

By the order under revision, the Court below held that the petitioner was given ample opportunity to adduce evidence; and, when the matter was posted for arguments, this petition was filed.

While Sri S.Venkateswarlu, Learned Counsel for the petitioner, would submit that the counsel for the petitioner, before the Court below was absent only on 17.03.2015, Sri G.Venkat Reddy, Learned Counsel for the respondents, would submit that the matter is being needlessly dragged on; and, despite the death of the husband of the 1st respondent nearly 6 years ago, the O.P. has not even been adjudicated finally till date, resulting in their suffering untold misery and hardship.

As the absence of the counsel for the petitioner is only on 17.03.2015, I consider it appropriate to give the petitioner-insurance company one more opportunity to adduce further evidence. In order to ensure that the matter is not needlessly dragged on, it is necessary to fix a time frame within which the revision petitioner should adduce further evidence on their behalf; and examine all the

witnesses whom they choose to examine. Sri S. Venkateswarlu, Learned Counsel for the petitioner, would readily agree for a time frame to be fixed in this regard.

The petitioner shall complete their evidence in the M.O.P. before 15.11.2015, failing which it is open to the Court below to proceed and decide the MOP in accordance with law.

The Civil Revision Petition is, accordingly, disposed of. The Miscellaneous Petitions, if any pending, shall also stand disposed of. No costs.

(RAMESH RANGANATHAN, J)

Date:14.08.2015.

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