

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

CIVIL REVISION PETITION No. 1875 OF 2015

ORDER:

The petitioners herein, who are third party claimants, filed E.A. bearing SR No. 5520 of 2014 on 27.04.2015 before the learned Principal Senior Civil Judge's Court, Ranga Reddy District at L.B. Nagar.

The learned Principal Senior Civil Judge, after perusing the Petition, which was filed with a prayer to receive the three documents mentioned therein and also mark the same on behalf of the 3rd party claimants, by according permission to file the same, has returned the said Petition with an endorsement as to how such a Petition is maintainable. The petitioners wanted the bailiff's report dated 07.07.2014, panchnama dated 30.06.2014 and a sketch map dated 30.06.2014 to be received as documentary evidence. All that the Court did was it wanted the petitioners to explain as to how such an Application is maintainable. Instead of answering the objection raised by the Court, the petitioners have chosen to come and file this Revision.

A Revision can be maintained in this Court in case the Court has failed to exercise the jurisdiction vested in it and also where the Court has exceeded the jurisdiction vested in it. In the instant case, all that the Court said was as to how an Application moved for receiving documents is maintainable. A document, if any party seeks to mark, he has to tender the same while the process of collection of evidence is on but not by filing a separate Application. It is therefore, for the petitioners to satisfy the Court as to how the Petition is maintainable. In returning the Application, I do not consider that the Court has failed to exercise any jurisdiction vested in it or exceeded the jurisdiction vested in it and hence, this Revision is not liable to be entertained by this Court. Accordingly, it is dismissed. No costs.

Consequently, the miscellaneous applications, if any shall also stand dismissed.

NOOTY RAMAMOHANA RAO, J

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