

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

CIVIL REVISION PETITION NO.608 of 2015

ORDER:

The petitioner herein is the plaintiff in the suit. It is a partnership firm. It instituted the suit for recovery of certain amounts. It is the specific case of the petitioner firm that 2nd and 3rd defendants are the employees working with the petitioner firm as Sales Manager and Accountant. It is also the case of the petitioner/plaintiff firm that the 1st defendant has joined hands with 2nd and 3rd defendants and thus, participated actively in misappropriating the funds of the petitioner firm. It is further case of the petitioner firm that defendant Nos.1 to 3 have admitted the act of misappropriation of funds of the petitioner firm. However, the 1st respondent is employed with the proposed 6th defendant in the suit, the 6th respondent herein, since he has been submitting statement of accounts on month-to-month basis to the

6th defendant/the proposed party, the petitioner firm thought it appropriate to implead the 6th defendant, as such, to the suit. That application was dismissed. Against the said order passed in I.A.No.648 of 2014, the present revision is filed.

The cause of action in the suit is purely personal between the petitioner firm and defendant Nos.1 to 3. Therefore, the employer of the 1st defendant is neither a necessary nor a proper party to the suit instituted for recovery of money. The order passed by the learned Judge dismissing I.A. is proper and correct and the exercise of jurisdiction vested in the Court has been carried out carefully and properly.

Hence, it does not call for any interference at my hand. Accordingly, this revision stands dismissed.

Consequently, miscellaneous petitions, pending in this petition, shall also stand dismissed. No costs.

JUSTICE NOOTY RAMAMOHANA RAO

10.04.2015

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