

HONOURABLE SRI JUSTICE VILAS V.AFZULPURKAR

CIVIL REVISION PETITION Nos.5147 and 5152 OF 2015

DATED 1ST December, 2015

BETWEEN

O.Chenchamma and ors

.....Petitioners in CRP.No.5147 of 2015

M.Venkateswarlu and ors

...Petitioners in CRP.No.5152 of 2015

And

C.Rama murthy

...Respondent in both CRPs

HONOURABLE SRI JUSTICE VILAS V.AFZULPURKAR

CIVIL REVISION PETITION Nos.5147 and 5152 OF 2015

COMMON ORDER:

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These two Civil Revision Petitions can be disposed of by this common order.

These two civil revision petitions arise out of the interlocutory orders passed in

O.S.Nos.606 of 2011 and O.S.No.257 of 2008 on the file of the learned I Additional Junior Civil Judge, Chittoor. Both suits are connected inasmuch as O.S.No.257 of 2008 is filed by the petitioners in CRP.No.5152 of 2015 and O.S.No.606 of 2011 is filed by the respondent in CRP.Nos. 5152 and 5147 of 2015. In both the suits, trial has been completed and they are coming up for arguments. In fact in O.S.No.606 of 2011 the arguments on behalf of the respondent/plaintiff have been completed. At that stage the petitioners (Plaintiffs in O.S.No.257 of 2008 and Defendants in O.S.No. 606 of 2011) have filed I.A.No.619 of 2015 and I.A.No.543 of 2015 respectively for reopening the suits so as to adduce further evidence. Both applications have been dismissed by the Court below through separate orders in respective suits. Hence these Civil Revision Petitions.

I have heard the learned Counsel for the petitioners. He seeks one opportunity may be given to the revision petitioners to adduce further evidence.

Both the suits are at the stage of arguments. In fact the plaintiff in O.S.No.606 of 2011 argued his case. The Court below rightly opined that after the Code of Civil Procedure is amended, unless there are compelling and reasonable circumstances, the suit posted for arguments after closure of evidence of both sides, shall not be reopened. Therefore request of the revision petitioners cannot be granted. I see no reason to interfere with the orders under revisions.

The Civil Revision Petitions are dismissed. Miscellaneous petitions pending consideration if any in the Civil Revision Petitions shall stand closed in consequence. No order as to costs.

JUSTICE VILAS V.AFZULPURKAR

DATED 1st December, 2015.

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