

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Civil Revision Petition No.1872 of 2015

Date: 05-06-2015

Between:

Jinka Pedda Veera Subrahmanyam

.. Petitioner

And:

Kambala Shankaraiah and 9 others

..... Respondents

HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Civil Revision Petition No.1872 of 2015

ORDER:

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This Civil Revision Petition is directed against the order dated 15-07-2013 in I.A.No.372 of 2013 in I.P.No.1 of 2012 passed by the II Additional Senior Civil Judge, Nandyal, dismissing the petition filed for granting leave to file petition schedule documents in the Insolvency Petition.

2. The case of the petitioner is that he could not file the petition schedule documents i.e. FIR in Crime No.115 of 2007 on the file of Bethamcherla Police Station and unregistered Will executed by the father of the petitioner in favour

of his mother along with Insolvency Petition and the said documents are necessary to prosecute his case and as there was delay in filing the said documents, the petitioner filed the present petition to grant leave to file the same. The Court below, having considered the facts and circumstances of the case and the contentions of the revision petitioner, dismissed the said application on the ground of irrelevancy of the said documents and on the ground of delay in filing the same. Aggrieved by the same, the present revision petition has been filed.

3. Having heard the learned counsel for the petitioner and on perusal of the affidavit filed in support of I.A.No.372 of 2013 in I.P.No.1 of 2012 and the order under revision, it does not indicate how the documents sought to be filed are relevant in the Insolvency Petition and though the Insolvency Petition is pending from 2012, he could not file the said documents at the earliest point of time, but all of a sudden he sought to be filed those documents and no reason is assigned as to why he filed the said documents after this length of time. The Court below is justified in dismissing the said petition and the order under revision does not suffer from any infirmity or illegality warranting interference of this court in exercise of restricted revisional jurisdiction under Article 227 of the Constitution of India, and hence, the Civil Revision Petition is liable to be dismissed.

Accordingly, the Civil Revision Petition is dismissed at the stage of admission. No costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

A. RAJASHEKER REDDY, J

Date: 05-06-2015

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