

HON'BLE SRI JUSTICE R. SUBHASH REDDY

CIVIL REVISION PETITION No.2281 of 2015

ORDER :

This civil revision petition under Article 227 of the Constitution of India is filed by the defendants in the suit in O.S.No.839 of 2011 on the file of II-Additional Chief Judge, City Civil Court, Hyderabad, aggrieved by order dated 24.02.2015, passed in I.A.No.1626 of 2014.

The suit is filed in 2011 by the respondent herein for specific performance of an oral agreement of sale of suit schedule property. Written statement in the suit is filed long back and when the suit is coming up for trial, the present application in I.A.No.1626 of 2014 is filed under Order 8 Rule 9 r/w.Sec.151 CPC, seeking permission to file additional written statement. The said application is dismissed by the Court below, by impugned order.

In this revision, it is submitted by the learned counsel for petitioners that to explain the stand of defendants as averred in the written statement which is originally filed, it is necessary to file additional written statement alongwith documents. A perusal of the affidavit filed in support of the I.A. shows that there is absolutely no reason for not filing the documents at the initial stage. With regard to such plea, it is a matter of evidence in the suit and as rightly held by the Court below, there is no reason to allow the plea of petitioners at this stage.

For the aforesaid reasons, the revision is devoid of merit and it is accordingly dismissed. No order as to costs. Pending miscellaneous applications, if any, shall stand closed.

19th June 2015
SUBHASH REDDY, J

R.

ajr