

HON'BLE SRI JUSTICE R. SUBHASH REDDY

CIVIL REVISION PETITION No.3509 of 2015

ORDER :

This civil revision petition is filed by the respondents in R.C.No.255 of 2013 on the file of Principal Rent Controller-cum-12th Junior Civil Judge, Hyderabad, aggrieved by order dated 11.08.2015, passed in I.A.No.266 of 2015.

In the eviction petition filed by the respondent-landlord, PWs.1 and 2 were examined and they were also cross-examined. As the petitioners herein were not ready to lead evidence, order dated 22.07.2015 was passed, closing their evidence.

In the pending R.C., petitioner-tenants have filed three applications, namely, I.A.Nos.265, 266 and 267 of 2015, to reopen their evidence, to recall PW-1 for further cross-examination and to set aside the order dated 22.07.2015, permitting them to lead evidence.

The trial Court, by common order dated 11.08.2015, while dismissing the applications in I.A.Nos.265 and 266 of 2015, allowed the application in I.A.No.267 of 2015, setting aside the order dated 22.07.2015. This civil revision petition is filed against the order passed in I.A.No.266 of 2015, pleading that the learned Rent Controller ought to have given an opportunity to recall PW-1 for further cross-examination.

From a perusal of the impugned order, it is clear that on behalf of respondent-landlord, PWs.1 and 2 were examined and there was a lengthy cross-examination of PW-1 on two occasions. Earlier also, after the death of the original tenant, when applications were filed to recall PWs.1 and 2 for cross-examination, same were allowed. As much as PWs.1 and 2 were cross-examined at length, there appears no reason at all to recall PW.1 for further cross-examination.

In view of the reasons recorded by the trial Court, I do not find any merit in this revision petition, so as to interfere with the impugned order, under Article 227 of the Constitution of India.

Revision petition is accordingly dismissed. No costs.

Pending miscellaneous applications, if any, shall stand closed.

R. SUBHASH REDDY, J

4th September 2015

ajr