

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

-

CIVIL REVISION PETITION No.1813 of 2015

ORDER:

Heard the learned Counsel for the petitioner, and this Civil Revision Petition is being disposed of at the admission stage.

The petitioner is the defendant in O.S.No.159 of 2014 on the file of the learned Senior Civil Judge, Shadnagar. The suit was filed for recovery of Rs.3,00,000/- by way of damages and compensation. The suit was filed on 16.11.2011 and the petitioner/defendant filed his written statement on 30.07.2012. Later on, issues were settled and the respondent/plaintiff was examined as P.W.1 on 05.07.2013. When the suit was posted for cross-examination of P.W.1, I.A.No.193 of 2014 was filed by the petitioner on 25.02.2014, making a counter claim against the respondent. The said application was dismissed on the ground that the petitioner failed to prove that the cause of action arose to the counter claim before filing of the written statement. The lower Court, based on the decision of this Court in **Gurram Allabaksh v. Shaik Habeebullabasha**, dismissed the application.

I do not find any ground to interfere with the order passed by the lower Court.

The Civil Revision Petition is, accordingly, dismissed. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

19.06.2015

vs

-

