

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CIVIL REVISION PETITION No.3010 OF 2016

ORDER:

The Civil Revision Petition is filed under Article 227 of the Constitution of India aggrieved over the order, dated 31.03.2016, passed in I.A.No.246 of 2016 in I.A.No.48 of 2016 in O.S.No.294 of 2009, by the Court of the Principal Junior Civil Judge, Amalapuram, whereby the learned Judge dismissed the petition filed by the petitioners herein seeking to scrap the report filed by the Advocate Commissioner.

Heard and perused the material available on record.

The grievance of the petitioners herein is that the Advocate Commissioner appointed on the basis of the request made by the petitioners herein has exceeded the directions given by the Court below and that he has also recorded the statements of the witnesses concerned. The petitioners herein has also filed before the Court below their objections regarding the report of the Advocate Commissioner.

On perusing the impugned order, this Court is of the view that the order of the Court below is in accordance with law and that there is no need to interfere with the order of the Court below. The Court below dismissed the application of the petitioners observing that there is no need to scrap the report of the Advocate Commissioner basing on the allegations made by the petitioners herein. However, the Court below is directed to consider the objections of the petitioners herein regarding the report of the Advocate Commissioner at the time of passing Judgment in the suit.

The Civil Revision Petition, with the above observations, is disposed of.

Consequently, miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE RAJA ELANGO

27.07.2016
pln