

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

-
C.R.P.NO.401 OF 2016

-
ORDER

Heard both the counsel.

2. Plaintiffs filed the suit in O.S.No.408/2009 on the file of XII Additional Chief Judge, FTC, (XIII Additional Chief Judge, FAC), City Civil court, Hyderabad for eviction of defendants and the evidence of the plaintiffs' side is closed and the matter is coming up for the evidence of defendants. At that stage, the defendants filed I.A.No.21 of 2014 in O.S.No.408 of 2009 seeking reopening of the evidence of the plaintiffs, for further cross-examination of P.W.1. The court below by the impugned order holding that already number of opportunities was given and that there are no merits in the petition, dismissed the I.A. Aggrieved by the same, the defendants filed the present revision.

3. It is brought to the notice of this court by the learned counsel for the petitioners that for eviction, the plaintiffs filed four suits on the file of XII Additional Chief Judge, (FTC), XIII Additional Chief Judge, (FAC), City Civil Court, Hyderabad against the very same defendants and in one of the connected suits in O.S.No.407/2009, the defendants filed similar interlocutory application in I.A.No.18 of 2014 in O.S.No.407 of 2009 for reopening of the plaintiffs' side evidence and the court below by order dated 13.3.2004 dismissed the said application and on a revision by the defendants in CRP.No.4931 of 2015, this court by order dated 21.12.2015 allowed the same and the relevant portion reads as under:

"As much as the suit is for eviction, this court is of the view that further opportunity can be given to the petitioners herein to cross-examine P.W.1. In view of the submission made by the learned counsel for the parties, this civil revision petition is allowed and the order dated 13.3.2014 is set aside. The petitioners are permitted to cross-examine P.W.1 on the next date of hearing. At the same time, as the suit is of 2009, the learned XII Additional Chief Judge, City Civil Court, Hyderabad, is directed to dispose of the suit as expeditiously as possible, preferably within a period of six months from today. No order as to

costs.”

4. The present revision is also allowed in terms of the above order of this court dated 21.12.2015 in C.R.P.NO.4931/2015. No costs.

5. Miscellaneous petitions pending if any, shall stand closed.

AVS

04—03—2016