

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

THURSDAY THE THIRTYIETH DAY OF JUNE
TWO THOUSAND AND SIXTEEN

PRESENT
HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

CIVIL REVISION PETITION NO. 2084 OF 2009

—

Between:

Ramesh Chabra ... Petitioner/Plaintiff

Vs.

Md.Ghouse Khan & Anr. ... Respondents/Defendants

Counsel for the Petitioner: Sri Nazir Ahmed Khan

Counsel for the Respondents: None appeared

The Court made the following: [Judgment follows]

HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

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CIVIL REVISION PETITION NO. 2084 OF 2009

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ORDER :

This Civil Revision Petition is filed questioning the order dated 14/11/2008 passed in I.A.No. 158 of 2007 in OS.No. 49 of 2005 by the I-Additional Chief Judge, City Civil Court, Hyderabad, whereunder the petition filed by the petitioner/plaintiff under Order-26, Rule 9 read with Section 151 of CPC seeking to appoint an Advocate-Commissioner to ascertain the survey number in which the suit schedule properties are located with the assistance of a Government surveyor was dismissed.

2. The record reveals that Civil Revision Petition was dismissed by this Court by order dated 19/8/2011 against respondents 1 and 2. Thereafter, CRPMP.No. 4287 of 2013 has been filed seeking to condone the delay of 670 days in filing CRPMP.SR.No. 18246 of 2013 under Order-IX, Rule-9 read with section 151 of CPC to set aside the order dated 19/8/2011 passed in this revision and the same are pending consideration.

3. When the matter is listed today under the caption “infructuous”, learned counsel appearing on behalf of the petitioner

submits that the main suit in OS.No. 49 of 2005 itself was disposed of by the trial court on 15/12/2005, therefore, nothing survives in this revision for adjudication and the revision has become infructuous.

4. Recording the above submission, this Civil Revision Petition is dismissed as infructuous.

5. As the main suit in OS.No. 49 of 2005 was disposed of by the trial court on 15/12/2005, CRPMP.No. 4287 of 2013 has become infructuous and the same is dismissed. Consequently, CRPMP.SR.No.18246 of 2013 which was filed to set aside the order dated 19/8/2011 passed in Civil Revision Petition also stand dismissed.

6. As a sequel, miscellaneous petitions if any, pending in this appeal suit shall stand closed.

JUSTICE SURESH KUMAR
KAIT.

30/06/2016
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HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

