

**HONOURABLE SRI JUSTICE RAJA ELANGO**

**CIVIL REVISION PETITION No:3413 OF 2016**

**ORDER:**

1. This revision petition is filed by the petitioner-plaintiff aggrieved by the order dated 15.6.2016 passed in I.A.No.384 of 2016 in O.S.No.100 of 2005 by the Senior Civil Judge, Amalapuram.
2. The petitioner herein is the plaintiff and the respondents are the defendants before the trial Court. The status of the parties will hereinafter be referred to as arrayed in the suit.
3. The 3<sup>rd</sup> defendant in the above suit filed the above I.A. under Section 18 Rule 17 read with Section 151 CPC seeking to recall P.W.1 for further cross-examination. The above I.A. was allowed vide the order impugned herein. Aggrieved by the same, the petitioner-plaintiff filed this revision.
4. Learned Counsel for the petitioner submitted that the revision petitioner as P.W.1 was subjected to cross-examination on several occasions and that trial Court has not given sufficient opportunity to the petitioner to file counter in the above I.A and therefore, the order under revision is not sustainable.
5. Considering the facts and circumstances of the case and the submissions made by the learned Counsel for the petitioner, the Civil Revision Petition is disposed of with the following directions:

“The order under revision is set aside and the above said I.A. is restored. The trial Court is directed to pass orders afresh in the above I.A., after issuing notice to both the parties and after hearing them, in accordance with law.”

No order as to costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

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**Justice Raja Elango**

Date: 24<sup>th</sup> August, 2016  
Nn.

**HONOURABLE SRI JUSTICE RAJA ELANGO**

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**CIVIL REVISION PETITION No:3413 OF 2016**

**24.08.2016**

**Nn.**