

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

CIVIL REVISION PETITION NO.824 OF 2011

ORDER:

This Civil Revision Petition is filed challenging the order, dated 20-08-2010 in I.A.No.528 of 2010 in O.S.No.2029 of 2003 on the file of the II Additional Junior Civil Judge, Warangal.

2. Petitioner herein is the plaintiff, whereas the respondents herein are the defendants in O.S.No.2029 of 2003.

3. Petitioner herein filed the above suit seeking permanent injunction in respect of her house property. She examined her husband as P.W.1 after taking permission from the Court under Section 120 of the Indian Evidence Act, 1872 and when her husband wanted to mark a document, unregistered sale deed, dated 06-04-1994, an objection was taken and the said document was not marked. Thereafter, the petitioner herein filed I.A.No.1720 of 2010 under Order XVIII Rule 3-A of CPC seeking permission of the Court to examine her as a witness in the suit after completion of evidence of P.W.1 and the same was permitted by the trial Court. The said order was challenged before this Court in CRP No.759 of 2011 by the defendants. Today, I dismissed the said CRP No.759 of 2011 by a separate order. The present interlocutory application was filed by the plaintiff to receive the document, dated 06-04-1994 executed by one S.Lakshmi Narayana in favour of her husband and when the said application was dismissed vide impugned order, the present revision is filed.

4. Now, the plaintiff wants to examine herself as P.W.2 and mark the said unregistered sale deed, dated 06-04-1994. There is no averment with regard to the said document either in the plaint or in the affidavit filed in lieu of chief-examination. The plaintiff is not a party to the said document. In the circumstances, the impugned order passed by the trial Court does not call for any interference by this Court.

5. Accordingly, the Civil Revision Petition is dismissed. No order as to costs. Miscellaneous petitions, if any pending in this petition shall stand closed.

A.RAMALINGESWARA RAO, J

DATED: 19-01-2016

Hsd