

HON'BLE SRI JUSTICE R. SUBHASH REDDY

CIVIL REVISION PETITION No.4623 of 2015

ORDER :

This civil revision petition is filed under Section 22 of the A.P. Buildings (Lease, Rent and Eviction) Control Act, 1960, by the tenant, aggrieved by the order dated 26.08.2015, passed in I.A.No.484 of 2014 in R.A.No.127 of 2012, by the learned Chief Judge, City Small Causes Court, Hyderabad.

The R.C. filed by the respondents herein for eviction of petitioner on the grounds of willful default in payment of rents for the period from 01.10.2007 to 31.10.2009, was allowed by the primary Tribunal. As against the same, appeal is filed by the tenant in R.A.No.127 of 2014. It was the defence of petitioner herein that there was an agreement between him and respondents for adjustment of matured chit amounts towards rents. Such contention was not accepted by the primary Tribunal and ordered eviction. Challenging the same, R.A.No.127 of 2014 is filed and during pendency of said R.A., the present application in I.A.No.484 of 2014 is filed under Order 11 Rule 14 r/w. Sec.151 of CPC r/w. Sec.20(3) and Rule 22(7) of A.P. Buildings (Lease, Rent and Eviction) Control Act, 1960, seeking direction to the respondents to produce cash book, ledgers, vouchers and account statements for the period from 1st April 2007 to 31st March

2010. As the said application is dismissed, the present revision is filed.

Heard learned counsel for the parties.

In this revision, the main contention of learned counsel for petitioner is that there was an agreement between petitioner and respondents for adjusting the chit amounts towards rents. However, in the counter affidavit filed in I.A.No.484 of 2014, a specific stand was taken by the respondents to the effect that they have paid the entire chit amounts to the petitioner. Further, it is to be noticed that the chits which are alleged to have been subscribed by the petitioner are terminated in the month of April 2005 itself, whereas, the default period is from 01.04.2007 to 31.03.2010. Therefore, this Court is of the view that the lower appellate Court has rightly dismissed the application in I.A.No.484 of 2014.

For the aforesaid reasons, I do not find any ground to interfere with the impugned order. The revision is accordingly dismissed. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

R. SUBHASH REDDY, J

22nd January 2016

ajr