

THE HON'BLE SRI JUSTICE GHULAM MOHAMMED

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CRP No.5177 of 2010

Between

B. Narayana Rao

And

B. Anjaneyulu and others

THE HON'BLE SRI JUSTICE GHULAM MOHAMMED

-

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Oral Order:

This Civil Revision Petition is directed against the order dated 22.10.2010 passed in I.A.No. 1459 of 2010 in O.S.No. 301 of 2009 on the file of the court of the XIV Additional Chief Judge, City Civil Court, Hyderabad.

I.A.No.1459 of 2010 was filed by the revision petitioner herein under Order 1 Rule 10 of the Civil Procedure Code to implead him as a defendant no.12 as he is necessary and property party in the above suit.

The revision petitioner is the father of the respondents 1 to 3. The suit was filed by the 1st respondent herein for partition and that the petitioner herein sought to implead himself in the suit on the ground that the petitioner cancelled the gift deed dated 22-3-2007 and as such he is entitled to be impleaded in the suit. According to the respondent no.1 the revision petitioner herein has executed the registered gift deed and as per 7th para of the said gift deed the petitioner cannot revoke or cancel the

gift deed. The respondents 2 and 3 herein filed the written statement in the above suit stating that they collected the rents of the above suit schedule property.

The court below on consideration of the matter came to the conclusion that the gift deed cannot be cancelled without condition of revoke or cancel in the said gift deed and came to the conclusion that the contention of the petitioner that the respondents 1 to 3 did not take possession of the gifted property cannot be acceptable and therefore dismissed the I.A.

In the circumstances, I do not see any ground tot entertain the revision petition. The Civil Revision Petition is meritless and is dismissed. No costs.

26-7-2011

Kk