

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

CIVIL REVISION PETITION No.1454 of 2016

ORDER:

This revision is filed against the order dated 28-01-2016 passed in I.A.No.2785 of 2015 in O.S.No.1821 of 2003, wherein the Court below dismissed the application filed by the petitioner under Order 16 Rule 1 and Section 151 of C.P.C. to issue summons to petition schedule witness to appear before the Court and to give evidence.

The Court below found that though the suit is of the year 2003, only to drag on the proceedings, the present petition is filed. It is stated that for injunction, the petitioner has to prove his case by adducing evidence himself. The implead petition filed by Wakf board was also dismissed by the Court below and moreover, the plea of the petitioner that the said property belongs to Wakf board was also negated by the Court below and the petition is filed only to protract the litigation.

In view of the same, I do not see any infirmity or illegality in the order passed by the Court below warranting interference of this Court under Article 227 of Constitution of India.

Accordingly, the revision petition is dismissed. As a sequel thereto, miscellaneous petitions, if any, pending in this revision petition, shall stand closed.

A.RAJASHEKER REDDY,J

18-03-2016
Nvl

