

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CIVIL REVISION PETITION No.2134 OF 2016

AND

CIVIL REVISION PETITION No.2136 OF 2016

COMMON ORDER:

These two revisions, under Article 227 of the Constitution of India, are filed challenging the orders dated 24.02.2016 in I.A. No.328 of 2016 and in I.A. No.327 of 2015 in R.C. No.31 of 2015 passed by the Principal Rent controller, CSCC, Secunderabad, whereby the petitions were dismissed.

02. It is the case of the petitioner that I.A. No.327 of 2015 was filed under Section 151 of the Code of Civil Procedure, 1908 (for short, 'the Code') and I.A. No.328 of 2015 was filed under Rule 17 of Order XVIII read with Section 151 of the Code, to recall P.W.1 and to reopen the evidence of the petitioner for marking documents produced along with I.A. No.136 of 2015, which is admittedly allowed.

03. Learned counsel for the respondent has reported no objection to reopen the evidence of the petitioner and to recall P.W.1, but raised an objection for marking the documents, which can be decided by the trial court itself, since the challenge before this Court is only that the Order passed under Rule 17 of Order XVIII read with Section 151 of the Code.

04. Therefore, in view of no objection reported by the learned counsel for the respondent, the trial court is directed to reopen the evidence of the petitioner and to recall P.W.1 for limited purpose i.e., marking of documents, if any, filed along with I.A. No.136 of 2015, subject to proof and relevancy.

05. With the above observation, these two revisions are allowed. No costs.

06. Miscellaneous petitions, if any, pending in this revision shall stand closed.

M. SATYANARAYANA MURTHY, J

Date: 11.08.2016

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