

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CIVIL REVISION PETITION No.3130 OF 2016

ORDER:

This revision petition is filed against the Order dated 22.03.2016 in I.A. No.735 of 2013 in R.A. No.144 of 2012 passed by the Chief Judge, City Small Causes Court, Hyderabad, whereby passing an Order in the interlocutory application is postponed, after hearing various contentions raised by both the parties, to avoid procrastination of decision in the appeal making the following observation:

“The respondent in whose custody the alleged document is available has failed to produce is called upon by issuing legal notice etc., but independently no proof as to such service of notice on the respondent”

02. This observation is *ex facie* incorrect in view of the Letter 20.09.2012 whereby Sri R.A. Krishna, counsel for the petitioner addressed to Sri K.Mohan, counsel for the respondent, called upon the respondent to cause production of the alleged document.

03. Therefore, without going into the merits of the Order, in view of the concession of Sri K.Mohan, counsel for the respondent and Sri.R.A. Achuthanand, counsel for the revision petitioner, expunging the observation referred supra, while directing the Chief Judge, City Small Causes Court at Hyderabad, to decide I.A. No.735 of 2013 in R.A. No.144 of 2012 on merits considering the Letter dated 20.09.2012 addressed by Sri R.A. Krishna, counsel for the petitioner addressed to Sri K. Mohan, counsel for the respondent.

04. Accordingly, the revision petition is disposed of. No costs.

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

M. SATYANARAYANA MURTHY, J

Date: 30.08.2016

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