

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Civil Revision Petition No.696 of 2016

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Date: 12.02.2016

Between:

Gujjarlapudi Immanuel

.. Petitioner

and

Zion Prayer House,
rep. by its authorized person
Darsi Koti Ratnam and 3 others

.. Respondents

Counsel for the petitioner : Mr.SSN.Moorthy

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The Court made the following:

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Order:

This Civil Revision Petition arises out of
Order, dated 17-12-2015, in IA.No.455 of 2015 in
OS.No.515 of 2015, on the file of the Court of the

learned II Additional Junior Civil Judge, Guntur.

By the Order under revision, the Court below has dismissed the application of the petitioner herein, who is defendant No.11 in the suit, for rejection of the plaint under Order VII Rule 11 and Section 151 of the Code of Civil Procedure, 1908.

Mr.S.Satyanarayana Murthy, learned Counsel for the petitioner, submitted that his client will be satisfied if he is permitted to raise an issue relating to maintainability of the suit before the lower Court.

Accordingly, this Civil Revision Petition is dismissed with liberty to the petitioner to request the lower Court to frame an additional issue relating to maintainability of the suit. If such a request is made, the lower Court shall consider the same without reference to the findings rendered by it in the order under revision.

As a sequel to dismissal of the Civil Revision Petition, CRPMP.No.889 of 2016, filed by the petitioner for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 12th February, 2016
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