

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

Civil Revision Petition No.475 of 2016

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ORDER:

This CRP is filed against the order dated 06.01.2016, passed in IA.No.1400 of 2015 in OS.No.844 of 2007, wherein the Court below appointed Advocate Commissioner for recording the evidence of PW3.

Learned counsel for the revision petitioners submits that no reasons are recorded for appointing the Advocate Commissioner for cross examining PW3. He also submits that no notices were issued to the petitioners.

Appointing an Advocate Commissioner, for cross examination of the witness, is the discretion of the Court and the Court below after considering the petition filed by the respondents/plaintiffs allowed the same and it is not known what prejudice is caused to the petitioners herein in appointing the Advocate Commissioner for cross-examination of PW3. The counsel for the petitioners in the Court below can also cross-examine PW3. More so, the suit is of the year 2007. In view of the same, I do not see any error in the order dated 06.01.2016, passed by the Court below, warranting interference of this Court under Article 227 of the Constitution of India. Accordingly, the CRP is dismissed. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending in the CRP, shall stand closed.

A.RAJASHEKER REDDY, J

04.02.2016

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