

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

CIVIL REVISION PETITION NO.5611 OF 2009

ORDER:

This Civil Revision Petition is filed challenging the order, dated 30-06-2009 in I.A.No.967 of 2009 in O.P.No.38 of 2007 on the file of the First Senior Civil Judge, City Civil Court, Hyderabad.

2. Petitioner herein filed the above interlocutory application under Section 5 of the Limitation Act, 1963 r/w Section 151 C.P.C. to condone the delay of 176 days in filing the restoration petition.

3. The trial Court after considering material available on record, dismissed the said application on the ground of maintainability as the petitioner was third party to the proceedings under Section 30 of the Land Acquisition Act. Hence, this revision.

4. A perusal of the order impugned shows that the restoration application was sought to be filed for restoration of O.P.No.38 of 2007, which was dismissed for default for non payment of process on 05-06-2008. The process has to be deposited by the Land Acquisition Officer, but he did not take steps to deposit the same. This Court, on merits, does not find any ground to interfere with the order impugned.

5. Learned counsel for the petitioner was absent on 20-10-2011 and on 22-07-2016 and today also, when the matter is called, there is no representation on behalf of the petitioner.

6. Therefore, the Civil Revision Petition is dismissed on merits and also on the ground of absence of the petitioner. No order as to costs. Miscellaneous petitions, if any pending in this revision shall stand closed.

A.RAMALINGESWARA RAO, J

DATED: 05-08-2016

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