

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.1403 of 2016

ORDER:

The petitioners filed the present Criminal Revision Case by invoking the provisions under Sections 397 and 401 of the Code of Criminal Procedure being aggrieved over the order, dated 07.04.2016, passed in CrI.A.No.53 of 2016, by the XIII Additional District & Sessions Judge, Narasaraopet, Guntur District.

Heard and perused the material available on record.

The petitioners filed the CrI.A.No.53 of 2016 to set aside the order passed against the petitioners by the I Additional Junior Civil Judge, Narasaraopet, in D.V.C.No.10 of 2011, dated 09.10.2015, whereunder and whereby the learned XIII Additional District & Sessions Judge, Narasaraopet, Guntur District, dismissed the criminal appeal for default on the ground of non-representation and process not paid. Aggrieved over the same, this revision case is filed by the petitioners to call for records in connection with the dismissal of the CrI.A.No.53 of 2016.

Learned counsel for the petitioners submitted that the petitioners have paid the process fee and that the Court below ought to have given another opportunity instead of dismissing the appeal.

Considering the said facts and circumstances of the case and the submissions of the learned counsel for the petitioners, the Criminal Revision Case is disposed of with the following order:

The Court below is directed to restore the CrI.A.No.53 of 2016 and pass appropriate orders after following the due procedure and the petitioner is directed to deposit a sum of Rs.5,000/- (Rupees five thousand only) as costs.

With the above directions, the Criminal Revision Case is disposed of. Consequently, miscellaneous petitions filed in this revision, if any, shall stand closed.

RAJA ELANGO, J

Date: 9th June, 2016
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