

HON'BLE SRI JUSTICE SURESH KUMAR KAIT

C.R.P No.4808 of 2016

ORDER:

Aggrieved by the order dated 09.09.2016 passed in I.A.No.630 of 2016 in O.S.No.23 of 2013, whereby the Senior Civil Judge, Sathenapalli, allowed the said petition filed by the defendants No.3 and 4/respondents No. 3 and 4 herein, the petitioner/plaintiff filed the present Civil Revision Petition.

It is not in dispute that the matter was listed before the court below for further proceedings on 22.04.2016. Learned counsel for the respondents /defendants No.3 and 4 sought adjournment on the ground that their witness is indisposed, however the court below did not accept the same and passed ex parte decree on the same day i.e., vide order dated 22.04.2016.

Being aggrieved, the respondents/defendants No.3 and 4 filed I.A.No.630 of 2016 for setting aside the ex parte decree dated 22.04.2016, and the same was allowed by the court below vide order dated 09.09.2016.

Keeping in view the facts recorded above and after perusing the impugned order, I do not find any merit in the instant petition and the same is accordingly dismissed.

There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand dismissed.

JUSTICE SURESH KUMAR KAIT.

Date : 28-11-2016

Gvl