

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

CIVIL REVISION PETITION No. 1851 of 2016

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ORDER:
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The impugned I.A. filed by the petitioners, under Order 1 Rule 10 CPC read with Rule 28 of Civil Rules of Practice, to implead them as respondent Nos.9 and 10 in S.R.O.P.No.245 of 2005, was dismissed by the Court below on the ground of non-compliance of Rule 28 of Civil Rules of Practice.

As seen from the order impugned, the prayer of the petitioners has not been considered, and for technical non-compliance of impleading respondent Nos.1 to 7 as party respondents in the I.A., I.A. was dismissed.

When the matter is taken up for hearing, learned counsel for the petitioners prays to withdraw the I.A. with liberty to make a fresh application seeking amendment before the Court below.

Learned counsel appearing for the respondents submits that he has no objection for withdrawal of I.A. and liberty be given as prayed for.

Considering the facts of the case, and the submissions made on behalf of the petitioners that practically respondent Nos.1 to 7 are not office bearers and some of them are no more. Practically, there is none to contest the O.P. except the official respondent, the District Registrar. In those circumstances, liberty sought for is given setting aside the order in I.A.No.347 of 2014 treating I.A. as withdrawn and move fresh I.A. subject to the condition if it is made within fifteen (15) days from today and the same be considered on its own merits. Considering the fact that S.R.O.P.No.245 of 2005 is of the year,

2005, learned VI Additional District Judge, Nellore, shall ensure disposal of the matter as expeditiously as possible

The Civil Revision Petition is allowed. Consequently, the miscellaneous applications, if any, shall also stand disposed of.

JUSTICE CHALLA KODANDA RAM

Date: 01.07.2016

Note:CC by 05.07.2016

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