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THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

CIVIL REVISION PETITION No.150 of 2016

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22.01.2016

Between:

M/s.Chenna Kesava Trading Corporation, Macherla
...Petitioner

And

Komera Anantha Ramulu
...Respondent

Counsel for the petitioner: Mr.P.Prabhakara Rao

Counsel for the respondent: --

The Court made the following:

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ORDER:

This civil revision petition arises out of the order, dated 30.12.2015, in I.A.No.982 of 2014 in O.S.No.152 of 2014 on the file of learned Junior Civil Judge, Macherla, Guntur District.

At the hearing, Mr.P.Prabhakara Rao, learned counsel for the petitioner, submitted that the Advocate Commissioner appointed in pursuance of the order under revision has inspected the property in question in the absence of the petitioner or his counsel and submitted his report.

Though this Court is thoroughly dissatisfied with the manner in which the lower Court has passed the order under revision appointing the Advocate Commissioner, without discussing the pleadings of the parties and assigning reasons in support of its conclusion for appointment of the Advocate Commissioner, having regard to the fact that the said order has worked itself out, I am not inclined to interfere with the same, more so, when no prejudice has been pleaded by the petitioner. However, the petitioner is permitted to submit its objections to the report of the Advocate Commissioner, in which event, the lower Court shall be more vigilant and it shall carefully deal with those objections and decide whether to rely upon the said report of the Advocate Commissioner or not.

Subject to the liberty given to the petitioner and the direction as above, the Civil Revision Petition is dismissed.

As a sequel to dismissal of the civil revision petition, C.R.P.M.P.No.195 of 2016 filed by the petitioner for interim relief shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

22nd January, 2016
GHN

