

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

**Civil Revision Petition No.1066 of 2016**

**Dated 04<sup>th</sup> March, 2016**

**Between:**

Shaik Kareemunissa (died) per LRs

**...Petitioners**

**And**

Shafiulla Baig and another

**...Respondents**

**Counsel for the petitioners: Sri Penumaka Venkata Rao**

**Counsel for the respondents: ----**

**The Court made the following:**

**ORDER:**

The appellant in A.S.No.9 of 2013 who was unsuccessful in the suit filed for recovery of possession before the trial Court filed I.A.No.2109 of 2015 in the said appeal under Order XXVI Rule 9 CPC for appointment of an Advocate Commissioner. The lower appellate Court has rejected the said application by the order under revision *inter alia* on the ground that the petitioner has earlier filed two IAs before the trial Court and secured orders of appointment of Advocate Commissioner but he has failed to pursue the same, as a result of which, the said orders were rendered ineffective.

On a careful consideration of the reasons given by the lower appellate Court and on considering the fact that the appeal pertains to recovery of possession, wherein appointment of Advocate

Commissioner is not required, I am not inclined to interfere with the reasoned order passed by the lower appellate Court.

Hence, the civil revision petition is dismissed.

As a sequel to dismissal of the civil revision petition, CRP.MP.No.1338 of 2016 shall stand disposed of as infructuous.

**C.V.NAGARJUNA REDDY, J**

04<sup>th</sup> March, 2016

VGB