

**THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA
RAO**

C.R.P.No.5581 of 2015

ORDER:

This Civil Revision Petition is filed challenging the order dt.16.10.2015 in I.A.No.1593 of 2015 in O.S.No.327 of 2006 of the V Additional Junior Civil Judge, Warangal.

2. Petitioner herein is the plaintiff in the above suit. He filed the said suit for perpetual injunction restraining the respondents from interfering with his alleged possession and enjoyment of the suit schedule property.

3. Written statement was filed opposing the suit claim.

4. Issues were framed. Trial also concluded and the matter was posted for arguments.

5. At that stage, petitioner filed I.A.No.1593 of 2015 under Order VII Rule 14(3) CPC to receive certain documents by condoning the delay in filing the same.

6. In the affidavit filed in support of the said application, petitioner stated that he could not file the documents enclosed with the said application along with the plaint and that they were obtained recently from the concerned authorities. He pleaded that they are very much necessary and essential to prove his case.

7. Counter-affidavit was filed by the respondents opposing the said application and contending that the petitioner had not shown any reason to condone the delay in filing the documents in the Court and also failed to explain why these documents could not be filed along with the plaint. It is also contended that the documents filed are based on a fictitious document executed by PW2 in favour of PW1.

8. By order dt.16.10.2015, the Court below dismissed the said application. It held that when the arguments of the respondents have been concluded and the matter was coming up for further arguments of the plaintiff/petitioner, at that stage, this application has been filed. It further held that no reason has been mentioned by the petitioner why he could not file the said documents till 2015 even though all the documents which are now sought to be filed relate to the year 2005.

9. Challenging the same, this Revision is filed.

10. I have noted the submissions of both sides.

11. In ***Ravi Satish v. Edala Durga Prasad & ors.***^[1] a learned single judge of this Court held that grant of leave either under Order VII Rule 14(3) CPC or under Order VIII Rule 1(A)(iii) CPC for filing documents at a later point time is not for the mere asking and in the absence of a valid reason for not filing

the documents along with the plaint or written statement, the application cannot be entertained.

12. In view of the settled legal position, I do not find any merit in this Civil Revision Petition and is accordingly dismissed. There shall be no order as to costs.

13. Consequently, Miscellaneous Petitions pending if any, shall stand closed.

M.S. RAMACHANDRA RAO, J

18th January, 2016.
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[\[1\]](#) Manu/AP/0736/2009