

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

C.R.P.No.3295 of 2014

ORDER:

Heard learned counsel for the petitioner and respondents.

The petitioner is the defendant in O.S.No.97 of 2007 on the file of I Additional Chief Judge, City Civil Court, Secunderabad. The said suit was filed by the respondents herein seeking a direction to the defendant to execute a registered sale deed in respect of the suit schedule property and to deliver vacant possession of the suit schedule property in favour of the plaintiffs and for other reliefs. The said suit was coming up for cross-examination of PW.1. The cross-examination of PW.1 was done to some extent and when the defendant did not continue the cross-examination, costs were imposed while adjourning the matter to 12.09.2014 and on that day, though costs were paid and PW.1 was present for cross-examination, learned counsel for the defendant did not turn up and there was no representation. In those circumstances, the defendant was set exparte and matter is posted for plaintiffs side hearing on 19.09.2014. Challenging the order dated 12.09.2014, the present civil revision petition is filed.

While issuing notice before admission on 26.09.2014 this Court granted interim stay for a period of six weeks and thereafter, the stay was not extended.

In the facts and circumstances of the case, giving opportunity to the petitioner, the impugned order dated 12.09.2014 is set aside on payment of costs of Rs.1,000/- (Rupees one thousand only) payable to the learned counsel for the plaintiffs within a period of two weeks and the defendant shall complete the cross examination of PW.1 on or before 29.01.2016. Since the suit is of 2007, learned I Additional Chief Judge, City Civil Court, Secunderabad shall endeavour to dispose of the suit as expeditiously as possible but not later than 30.09.2016.

With the above direction, the civil revision petition is allowed. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this revision petition shall stand closed.

A.RAMALINGESWARA RAO,J

DATED: 22.01.2016

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