

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

CIVIL REVISION PETITION No.4964 of 2016

21.10.2016

Between:

Dhoolli Apparao

..Petitioner

And

Palla Arjun

..Respondent

Counsel for the petitioner: Mr.M.Ram Mohan

Counsel for the respondent: --

The Court made the following:



ORDER:

This Civil Revision Petition is filed against the order, dated 10.08.2016, in I.A.No.239 of 2016 in O.S.No.47 of 2012 on the file of the learned Senior Civil Judge, Yellamanchili.

2. I have heard Mr.Ram Mohan, learned counsel for the petitioner and perused the record.

3. The respondent, who filed the aforementioned suit against the petitioner, filed I.A.No.239 of 2016 seeking amendment of the averment in para 4 of the plaint, by substituting the words "Narayudupalem, Munagapaka Mandal" as the residence of the plaintiff with the word "Anakapalli". This application was allowed by the lower Court, by the order under revision.

4. The learned counsel for the petitioner has not disputed that the place "Narayudupalem, Munagapaka Mandal" is not connected with either of the parties to the dispute and that it has any relevance to the *lis* between the parties. He has also admitted that by allowing the amendment, the defence of his client has not been materially affected or that the outcome of the suit will be materially changed.

5. The plea of the respondent in the affidavit filed in support of the application for amendment that the words "Narayudupalem, Munagapaka Mandal" referred to in para 4 of the plaint have crept in due to the inadvertent 'cut and paste' method followed by the office of his Advocate, is supported by the admitted fact that the place "Narayudupalem, Munagapaka Mandal" has no relevance to either of the parties. Though the amendment is sought to be made at a belated stage, considering the

fact that by such amendment no right vested in the petitioner is sought to be taken away, I am not inclined to interfere with the discretion exercised by the lower Court in allowing the application for amendment.

6. In the premises as above, the Civil Revision Petition is dismissed.

7. As a sequel to dismissal of the revision petition, C.R.P.M.P.No.6443 of 2016 filed by the petitioner for interim relief shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

21st October, 2016
GHN

