

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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CIVIL REVISION PETITION Nos.3003 and 3044 of 2016

COMMON ORDER:

These two civil revision petitions under Article 227 of the Constitution arise out of the docket orders dated 04.04.2016 passed by the learned Principal Senior Civil Judge, Ranga Reddy District, in O.S.S.R.Nos.4819 and 4820 of 2016 in O.S.No.335 of 2015.

The petitioner before this Court is the defendant therein. The petitioner/defendant filed applications under Section 151 C.P.C. to reopen the suit and under Order XVIII Rule 17 C.P.C. to recall PW.2 for further cross-examination. By the docket orders under revision, the trial Court rejected both the applications.

Notices having been ordered, Sri Venkat Reddy Thipparthi, learned counsel, entered appearance for the respondent/plaintiff.

Sri N. Uma Shankar, learned counsel representing Sri Venkat Reddy Thipparthi, learned counsel for the respondent/plaintiff, states that he has no objection to the reopening of the suit and to the recall of PW.2 for further cross-examination and that the civil revision petitions may be allowed.

In the light of the fact that the respondent/plaintiff himself has no objection to the relief claimed by the petitioner/defendant, the docket orders dated 04.04.2016 passed by the trial Court are set aside and the civil revision petitions are allowed. The trial Court shall reopen the suit and permit recalling of PW.2 for recording further evidence.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

Date:27.08.2016

GJ