

HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

CIVIL REVISION PETITION No.5784 of 2015

ORDER:

The petitioner is aggrieved by the order dated 02.12.2015 passed in I.A.No.1424 of 2015 in O.S.No.203 of 2012 by the learned Senior Civil Judge, Pithapuram, East Godavari District where by the direction sought for by the petitioner to issue summons to the Manager, Chaitanya Godavari Grameena Bank, Chebrolu, E.G. District to cause production of registered gift deed dated 19.09.1977 executed in his favour was declined.

Despite service of notice, appeared none on behalf of the respondents. In those circumstances, this Court has no option except to proceed with the Civil Revision Petition.

On a perusal of the order under revision dated 02.12.2015, the Court below has recorded that there is no explanation from the petitioner/plaintiff as to what made him to file this petition for original certified copy when the respondents/defendants themselves are not denying the acquisition of property by the petitioner/plaintiff.

Having heard the learned Counsel for the petitioner and perusing the material on record, I do not find any discrepancy in the order of the Court below. However, it is made clear that if at any subsequent stage, the respondents/defendants dispute with the alleged gift deed executed in favour of the petitioner/plaintiff

by his paternal grand father, the Court below shall give an opportunity to the petitioner/plaintiff to prove the gift deed by summoning the Manager of Chaitanya Godavari Grameena Bank, Chebrolu for production of the said document.

The Civil Revision Petition is disposed of. Miscellaneous petitions pending consideration if any in the Civil Revision Petition shall stand closed in consequence. No order as to costs.

JUSTICE SURESH KUMAR KAIT

DATED 8th December, 2016.
Msnr_x

