

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

CIVIL REVISION PETITION NO.1272 OF 2016

DATED:11-03-2016

Between:

Kattamuri Venkata Ramanamma ... Petitioner

And

Gandham Venkateswarlu
and another ... Respondents

COUNSEL FOR THE PETITIONER: Mr. G.V.S. Mehar Kumar

COUNSEL FOR THE RESPONDENTS: -

THE COURT MADE THE FOLLOWING:

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ORDER:
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This civil revision petition is filed against order dt.08.9.2015 in E.A.(CFR) No.3821 of 2015 in E.A. No.153 of 2014 in E.P. No.24 of 2001 in O.S. NO.27 of 1997 on the file of the Senior Civil Judge, Gurajala, Guntur District.

The petitioner is a claim petitioner in the above mentioned O.P. The petition filed under Section 5 of the Limitation Act was returned on 08.9.2015 by the lower Court with the objection "Explain how this petition is maintainable when the E.P. is terminated". The petitioner has represented the petition by stating that the E.P. proceedings are not terminated. Again the petition was returned with the endorsement 'Section of Law to be noted. Hence, returned.' The record does not show that the petitioner has again represented the petition, and he has filed the present civil revision petition aggrieved by the endorsement dt.08.9.2015.

At the hearing, Mr. G.V.S. Mehar Kumar, learned counsel for the petitioner, submitted that there is no endorsement on the docket proceedings showing that the petitioner has represented the petition and again the same was returned. Evidently, the petitioner, without representing the case after the same was returned second time with the objection that the petitioner has not noted the section of law, filed the present revision petition. In my opinion, the petitioner ought to have represented the file by mentioning the section of law instead of filing the present revision petition.

In the above facts and circumstances of the case, this civil revision petition is dismissed. The petitioner is permitted to take return of the original file and represent the case before the lower Court within two weeks from the date of receipt of this order.

As a sequel to dismissal of the civil revision petition, C.R.P.M.P.
No.1611 of 2016 shall stand disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

11-03-2016

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