

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

CIVIL REVISION PETITION No.2010 OF 2016

ORDER:

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This Civil Revision Petition is filed against the order, dated 29-02-2016, passed in I.A.No.2857 of 2015 in O.S.No.621 of 2007, wherein the Court below dismissed the application filed by the petitioner under Order 18 Rule 16 of C.P.C. seeking to summon the petition schedule person along with record.

Learned counsel for the petitioner submits that since the 1st defendant was an employee and maintained the society registers, this petition is filed for summoning him. As such, the Court below erroneously dismissed the petition.

A perusal of the impugned order goes to show that the suit is of the year 2007 and both parties have adduced evidence and the Court below found that the said petition is filed only to delay the proceedings. If the petitioner felt the evidence of persons so essential, application could have been filed even before the evidence is let in. The Court below also found that the documents summoned are absolutely immaterial. As the suit is of the year 2007, I.A. is filed in the year 2015, the Court below rightly considered the same and dismissed the application and the same does not warrant interference of this Court by

exercising powers under Article 227 of Constitution of India.

Accordingly, the Civil Revision Petition is dismissed. Miscellaneous petitions, if any, pending in this Civil Revision Petition shall stand closed. No order as to costs.

A.RAJASHEKER REDDY,J

25-04-2016
Nvl