

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

CIVIL REVISION PETITION NO.3637 OF 2016

DATED:05-08-2016

Between:

Smt. Konatala Hema ... Petitioner

And

Sri Karri Appa Rao ... Respondent

COUNSEL FOR THE PETITIONER: Mr. Ch. Vidya Sagar

COUNSEL FOR THE RESPONDENT: -

THE COURT MADE THE FOLLOWING:

ORDER:

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This civil revision petition arises out of order dt.29.4.2016 in I.A. No.1423 of 2015 in O.S. No.40 of 2009, on the file of the Principal District Judge, Visakhapatnam.

The only reason assigned by the petitioner for causing phenomenal delay of 2125 days in filing the application for setting aside the *ex parte* decree was that she was not served with summons. The Court below in its order has clearly observed that summons were served on the petitioner on 06.03.2009 and that the summons bears her signature. In the light of the unequivocal findings of the lower Court on the service of the summons as noted above, the petitioner failed to make out any case for condonation of the huge delay. Therefore, the lower Court has rightly dismissed the I.A. and this Court does not find any illegality or jurisdictional error in the order under revision.

The civil revision petition is accordingly dismissed.

As a sequel to dismissal of the civil revision petition, C.R.P.M.P. No.4676 of 2016 shall stand disposed of as infructuous.

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C.V. NAGARJUNA REDDY, J

05-08-2016

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