

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

C.R.P.No.4815 of 2016

Date:14.10.2016

Between:

Gompina Appala Raju,
S/o Kannayya and two others.

..... Petitioners

And:

IDBI Bank Ltd., Visakhapatnam
Branch, reptd., by its Assistant Manager

....Respondent

Counsel for the petitioners: Mrs. S.A.V.Ratnam

Counsel for the respondent: None appeared



The Court made the following:

ORDER.

This Civil Revision Petition arises out of common order, dated 02.8.2016, in I.A.No.366 of 2016 in O.S.No.687 of 2011, whereby the learned VI Additional Senior Civil Judge, Visakhapatnam has dismissed the said I.A filed for re-opening of the evidence for further cross-examination of P.W-1.

A perusal of the order under revision shows that the lower Court has dismissed the I.A. by observing that the aspects on which the petitioners sought to put questions to P.W-1 were already covered in his cross-examination made on behalf of the petitioners.

The petitioners have failed to file the deposition of P.W-1, in the absence of which, the finding rendered by the lower Court deserves to be accepted. As rightly observed by the lower Court, the failure on the part of the learned counsel for the petitioners to put some relevant questions cannot be a ground for re-opening of the evidence and to recall the witness again and again. Hence, I do not find any merit in this Civil Revision and the same is, accordingly, dismissed.

As a sequel to dismissal of the Civil Revision Petition, CRPMP.No.6269 of 2016 filed by the petitioners for interim relief is dismissed as infructuous.

JUSTICE C.V.NAGARJUNA REDDY

14th October 2016

DR