

HON'BLE SRI JUSTICE G.SHYAM PRASAD

CIVIL REVISION PETITION No.5536 of 2008

ORDER:

Heard learned counsel for the petitioner.

This civil revision petition is arising out of the docket order of the Court of the Senior Civil Judge, Mahaboobnagar, dated 29.09.2008, which reads as under:

“Heard. Plaint is returned for compliance of objections dated 18.09.2008.

Time (7) days.”

The order of the trial Court is very clear to the effect that the plaint was returned for compliance of objections dated 18.09.2008 within seven days. Instead of approaching the trial Court within seven days for compliance of objections, the revision petitioner approached this Court by way of this revision.

In view of the provision under Order VII Rule 11 CPC, the revision petitioner can approach the Court only when there is rejection of plaint, but this is not the case where the plaint was rejected but was only returned for compliance of objections.

The Civil Revision Petition is disposed of directing the revision petitioner to approach the trial Court for compliance of objections within one month from the date of receipt of a copy of this order. The trial Court is directed to receive the compliance of objections and pass appropriate orders.

On the request of the learned counsel for the revision petitioner, the Registry is directed to send the original record, as per the procedure, within one month from the date of receipt of a copy of this order.

The Miscellaneous Petitions, if any, pending in this CRP shall stand closed.

G.SHYAM PRASAD,J

Date : 14.02.2017
ssp

