

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Civil Revision Petition No.800 of 2017

Date: 23.02.2017

Between:

Smt.Dittakavi Satyavathi

.. Petitioner

and

Sri Dittakavi Joga Rao and 2 others

.. Respondents

Counsel for the Petitioner :

Mrs.D.Satyavathi (party-in-person)

The Court made the following:



Order :

The plaintiff in OS.No.720 of 2014 on the file of the District Judge, Visakhapatnam, filed this Civil Revision Petition under Article 227 of the Constitution of India for a direction to the learned VII Additional District and Sessions Judge, Visakhapatnam, to expedite the suit proceedings.

The petitioner has filed the docket proceeding of the lower Court, a perusal of which shows that from 03-08-2015, the suit is coming up for issues; that petitioner/plaintiff has filed draft issues as far back as 19.03.2016 and that it underwent 17 adjournments till 17.01.2017. The petitioner, who appeared as party-in-person, submitted that thereafter, the case underwent two more adjournments and that it stands adjourned to 16th March, 2017.

I find no justification, whatsoever, for the lower Court in dodging the case for more than 1½ years without framing issues. Respondent No.1/defendant No.1 was shown to be aged 84 years. He being the father of the petitioner, his evidence is very crucial for adjudication of the suit filed by the petitioner for partition of the family properties.

In the light of the above facts, the lower Court is directed to forthwith frame the issues and proceed with the trial without further

loss of time. It shall endeavour to dispose of the suit as expeditiously as possible and not later than nine months from the date of receipt of this order.

Subject to the above direction, the Civil Revision Petition is disposed of.

As a sequel to disposal of the Civil Revision Petition, CRPMP.No.1052 of 2017, filed by the petitioner for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 23rd February, 2017
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