

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CIVIL REVISION PETITION No.4466 OF 2017

ORDER:

The present Civil Revision Petition is filed questioning the order passed by the learned Principal Junior Civil Judge, Nizamabad, dated 24.02.2016, in I.A. No.26 of 2016 in O.S. No.128 of 2013.

2. The aforesaid order was passed on the docket of the application filed under Section 151 of the Code of Civil Procedure, 1908, requesting to reopen the suit filed by the petitioner - plaintiff.

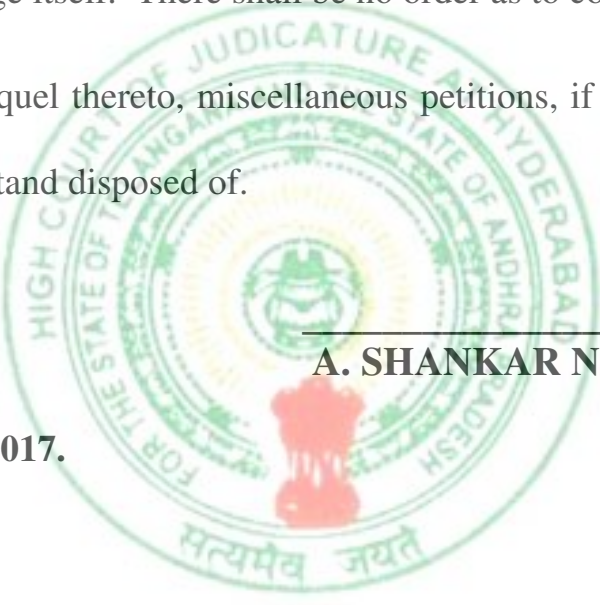
3. Heard Sri V. Satyam Reddy, learned counsel for the revision petitioner.

4. The learned counsel for the revision petitioner would draw the attention of this Court to page No.5 of the material papers, where the affidavit of revision petitioner as plaintiff was filed. In fact, he fairly admits that the purpose, for which reopening is sought for, is not mentioned in the affidavit. When examined the affidavit, it would not disclose the purpose for which the petitioner intended to reopen the plaintiff's side evidence. The learned counsel would submit that the plaintiff's side evidence was over and the suit was coming up for defendants' side evidence and at that stage, the aforesaid petition was filed.

5. In fact, the affidavit is nothing but a proforma filled in by filling the blanks. Therefore, it appears that there was no reason at all being mentioned. When the affidavit is bereft of reasons for reopening the plaintiff's side evidence, the order passed by the learned Principal Junior Civil Judge rejecting the request cannot be faulted. There is no merit in the present CRP.

6. Therefore, the Civil Revision Petition is dismissed at the admission stage itself. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the revision, stand disposed of.



A. SHANKAR NARAYANA, J

October 23, 2017.
Mgr