

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

CIVIL REVISION PETITION No.576 OF 2017

DATED : 06.06.2017

Between :

Bollam Gourishankar,
S/o.Late Shankaralingam,
Aged 51 yrs, Occu : Business,
R/o.H.No.8-10-114, J.P.N.Road,
Warangal & others.

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Petitioners

And

Bollam Mahadev S/o.Shankaralingam,
Aged 63 yrs, Occu : Business,
R/o.H.No.8-10-114, J.P.N.Road,
Warangal & others.

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Respondents



This court made the following :

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ORDER :

The defendants in O.S.No.62 of 2012 on the file of VII Additional District Judge, Warangal filed I.A.No.484 of 2016 praying to re-open the plaintiff's evidence for further cross-examination. As noted by the trial Court the evidence of plaintiff was closed on 09.06.2015. Much later the said I.A., was filed to re-open the evidence. The trial Court recorded that the Will deed was marked as Ex.B.7 through Dw.1 and Pw.1 was cross-examined at length with reference to the said document. As noticed from the record, no document was sought to be marked which according to the petitioners is subsequently discovered.

2. The averments made in the affidavit filed in support of the said I.A., are vague and do not give basic details required, even assuming that there is subsequent discovery of the existence of registered Will. I therefore, see no error in the order passed by the trial Court warranting interference by this Court.

3. At this stage, learned counsel for the petitioners represent that the registered Will deeds are available and due to oversight and mistake they were not mentioned in the affidavit. If it is otherwise permissible and subject to right of opposite party to object to such marking, liberty is granted to the petitioners to file appropriate application, and on such application being filed, the same shall be considered by the trial Court in accordance with law.

4. With the above observations, the Civil Revision Petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Revision shall stand closed.

6th June, 2017
Rds

P.NAVEEN RAO,J

