

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

CIVIL REVISION PETITION No.3757 OF 2014

ORDER:

1 This Civil Revision Petitions is filed under Article 227 of the Constitution of India challenging the docket order dated 08.10.2014 passed in S.O.P.No.202 of 2012 on the file of the Court of the Special Judge for Trial of Cases under SCs & STs (PoA) Act-cum-10th Additional District Judge, East Godavari at Rajahmundry.

2 Heard both sides.

3 While recording the cross examination of R.W.1, on 08.10.2014, the trial Court made certain observations against the counsel appearing on behalf of the petitioner before the court below.

4 At the time of arguments, the learned counsel for both the parties, with one voice, submitted that the following portion in the deposition of R.W.1 dated 08.10.2014 may be deleted.

“The advocate knows that the resolution would not contain reason for passing such resolution and it will contain in the minutes book. But without cross examining the witness on minutes book, he first cross examined the witness on resolution When he was asked about it, he became aggressive and stated that he would not proceed with matter and would entrust the matter to another advocate.”

5 It is a known fact that some times in a spur of moment, the advocates may request time for cross-examination of witnesses, but the court may feel otherwise. These are all common things.

6 Having regard to the submissions made by the counsel for both the parties, the portion extracted above is ordered to be deleted from the cross examination of R.W.1 in SOP No.202 of 2012 dated 08.10.2014.

7 Accordingly, this Civil Revision Petition is allowed, No order as to costs. As a sequel, miscellaneous petitions if any pending in this revision petition shall stand closed.

T. SUNIL CHOWDARY, J.

Date: 27.04.2017
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