

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

C.R.P.No.3199 of 2017

ORDER:

This revision is filed against the docket order dated 30-03-2017, in I.A.No.410 of 2017 in O.P.No.85 of 2015, wherein the application filed by the petitioner for summoning R.T.A., Nizamabad on the ground that owner of the vehicle plied beyond the radius of 60 Kilometres and caused accident, which is beyond the permissible limit in the permit and the Court below dismissed the same on the ground that the petitioner can agitate by relying upon Ex.P.4 and P.6. Now the counsel for the respondents 3 to 7 stated that affidavit is filed by the counsel on behalf of the petitioner, which is not permitted. It is to be seen that counsel are engaged to argue the cases and not to file affidavit of such nature. It is for the party to file affidavit in support of said applications.

In view of the same, I do not see any reason to interfere with the order passed by the Court below. However, if it is felt that summoning of R.T.A. is still required it is open for the petitioner to file application with his affidavit in support of the same.

Accordingly, the revision is dismissed granting liberty to the petitioner to file application. As a sequel to the disposal of this revision, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

06-09-2017
Nvl



