

HON'BLE SRI JUSTICE S.V.BHATT

CIVIL REVISION PETITION No.1113 of 2017

ORDER.

Heard Mr. P.Nagendra Reddy for revision petitioners.

The revision petitioners challenge order dated 30.01.2017 in I.A.No.876 of 2016 in O.S.No.228 of 2005 of the trial Court reopening the suit for enabling respondents 2 to 4 herein to adduce further evidence. The grievance of petitioners is that the order impugned in the revision does not spell out reasons for exercising discretion to reopen the suit and afford opportunity to respondents herein.

I have perused the order impugned in the revision and also the other annexures filed along with the revision.

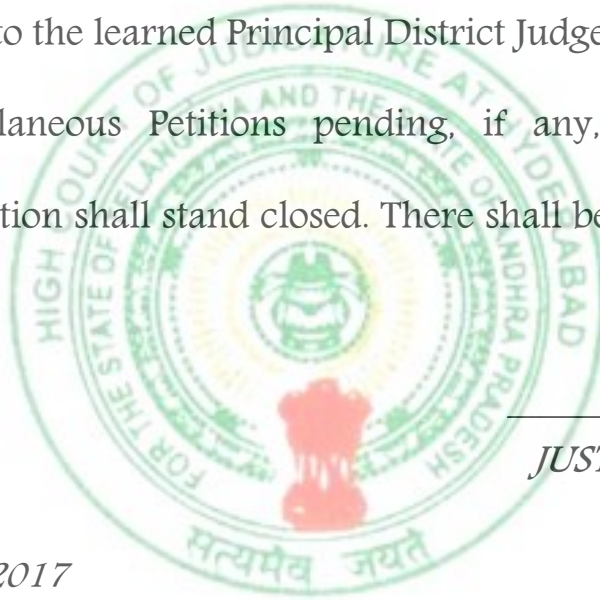
No doubt, the order impugned in the Revision does not state in required detail for reopening of the suit. The reason recorded by the trial Court, which is not disputed by learned counsel for revision petitioners, is that an opportunity to adduce evident to revision petitioners herein was afforded after the trial was closed and likewise to explain or to give equal treatment on the document now brought on record, the request of respondents 2 to 4 herein for reopening the suit is accepted. As the discretionary power has been exercised by the trial Court,

which is in complete seisin of the *lis*, this Court is not persuaded to interfere with the order under revision.

Revision fails. Accordingly, dismissed.

The suit is of the year 2005. At this rate and in this fashion, this Court is of the view that for another couple of years, the suit will be pending on the file of learned Junior Civil Judge, Allagadda. Therefore, the trial Court is directed to dispose of O.S.No.228 of 2005 on or before 30.4.2017 and report compliance to the learned Principal District Judge, Kurnool.

Miscellaneous Petitions pending, if any, in this Civil Revision Petition shall stand closed. There shall be no order as to costs.



JUSTICE S.V.BHATT

06th March, 2017

Note.

Issue CC in three days.

B/O

DR