

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

CIVIL REVISION PETITION No.2994 OF 2017

DATED: 30.06.2017

Between:

Yellapu Srikrishna Devarayulu
S/o Late Ramana.

... Petitioner

And

Saragadam Venkata Siva Satyanarayana and
another.

... Respondents

COUNSEL FOR THE PETITIONER: Sri K.Chidambaram



THE COURT MADE THE FOLLOWING:

ORDER:

This Civil Revision Petition arises out of order dated 06.06.2017 in I.A.No.450 of 2017 in O.S.No.215 of 2008 on the file of the X Additional District Judge, Visakhapatnam at Anakapalle.

2. Heard Sri K.Chidambaram, learned counsel for the petitioner and perused the record.

3. The petitioner filed the aforementioned suit against the respondents for specific performance of agreement of sale. After completion of trial, the petitioner has filed I.A.No.450 of 2017 under Order VII Rule 14 read with section 151 of the Code of Civil Procedure, 1908 for permitting him to file certain documents, such as affidavit copy in O.S.No.43 of 2009, docket in the said suit and charge sheet in PRC No.1 of 2017. In the affidavit filed in support of the application, what all the petitioner stated was that at the time of filing of his chief-examination affidavit, some documents were misplaced in his house and that as the same have been recently traced out, he is proposing to file the same. The lower Court rejected the petitioner's application on the ground that the reasons assigned by the petitioner are not at all justifiable. That the petitioner has not come up with correct reasons and the proposed documents also show that the certified copies thereof were obtained in the year 2015. The Court also took into consideration the fact that the suit is of the year 2008 and that the petitioner did not exercise due diligence. After careful consideration of the reasons assigned by the lower Court and also facts and circumstances of the case, I do not find any reason to interfere with the order under revision.

4. The Civil Revision Petition is accordingly dismissed. As a sequel to dismissal of the revision petition, C.R.P.M.P.No.3961 of 2017 shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

JUNE 30, 2017
YVL



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