

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CIVIL REVISION PETITION No.4627 OF 2017

ORDER:

The civil revision petition is filed questioning the order dated 17.08.2017, passed by the I Additional Senior Civil Judge, Nellore in I.A.No.501 of 2017 in O.S.No.320 of 2005, wherein and whereby the application filed by the petitioner-plaintiff under Section 151 C.P.C seeking to reopen the evidence of D.W.1 for further cross-examination, was dismissed.

It is the case of the petitioner that the suit was filed by the petitioner-plaintiff for declaration, recovery of possession, damages with future interest and for future damages. The suit is at the stage of arguments. At that stage, the impugned IA was filed.

The Court below after considering the material available on record did not permit the reopening of the suit as the suit was at the stage of arguments.

Today as this Court has already disposed of the C.R.P.No.4539 of 2017, which is subject matter of the same suit, directing the Court below to give the opportunity to the petitioner plaintiff to submit his arguments in the suit, recalling of the witness for further cross-examination cannot be done.

Accordingly, the civil revision petition is dismissed. No order as to costs. Consequently, the miscellaneous Applications, if any shall stand closed.

CHALLA KODANDA RAM, J

15th September, 2017
Gk

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Date:15.09.2017

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