

THE HON'BLE SRI JUSTICE S.V.BHATT
CIVIL REVISION PETITION No.4512 of 2016

ORDER:

The plaintiffs in O.S.No.310 of 2011 in the Court of Principal Junior Civil Judge, Adoni, Kurnool District, are revision petitioners. The revision petitioners filed I.A.No.969 of 2016 to summon the Assistant Director of Survey and Land Records, Kurnool, to give evidence as he has already given sketch and letter marked as exhibits in O.S.No.310 of 2011.

The trial court through the order impugned in the revision rejected the prayer. Hence, this Civil Revision Petition.

Mr.Butta Vijaya Bhasker contends that the revision petitioners have no avenue except to summon the Assistant Director of Survey and Land Records, Kurnool, as court witness to prove their documents already exhibited in the suit. He further contends that the petitioners are not praying for reopening of the suit but if the said officer is called as court witness, the procedure is complied with and the respondents do not suffer injustice or irreparable hardship.

I have perused the order impugned in the revision. The circumstance that weighed with trial court is that the petitioners have filed the instant application after the evidence of respondents is completed. Though the reason for refusing the prayer in I.A.

appears to be solitary, still after perusing the affidavit and counter, this Court is satisfied that no ground is made out for interfering with the order under revision. The further reasons, this Court proposes to record for dismissing the Civil Revision Petition, are as follows :-

Admittedly, the petitioners claim to have exhibited the letter and sketch said to have been issued by the Assistant Director of Survey and Land Records, Kurnool. The evidence was closed. After closure of evidence on respondents side, the petitioners pray for summoning the Assistant Director of Survey and Land Records, Kurnool, as court witness. The summoning practically starts further trial of suit.

Having regard to the stage of the matter and the method followed by petitioners for summoning the Assistant Director of Survey and Land Records, Kurnool, I am satisfied that the revision fails and is accordingly dismissed. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Dt: 27-02-2017
Prv

