

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

CIVIL REVISION PETITION NO.3470 OF 2017

DATED:21-07-2017

Between:

Saripalli Linga Nookaraju ... Petitioner

And

Pasumarthy Suneetha ... Respondent

COUNSEL FOR THE PETITIONER: Smt. A. Varalakshmi

COUNSEL FOR THE RESPONDENT: -



THE COURT MADE THE FOLLOWING:

ORDER:

The petitioner, who is facing a suit for recovery of money filed as far back as the year 2012, seems to be making relentless efforts to prolong the litigation as much as possible and evidently, in order to achieve this objective he has filed I.A. No.120 of 2015 seeking summoning of the husband of the respondent – plaintiff, Income Tax Officer, Anakapalle, and Manager, Bank of India, Anakapalle. This application filed at the time of cross-examination of the petitioner as D.W.1 was dismissed by the lower Court and in my opinion rightly. As observed by the lower Court, the petitioner has not intended to examine the aforementioned three persons as his witnesses and instead, he has chosen to examine them in order to point out lacunae in the evidence of P.W.1. As rightly observed by the lower Court, such an application is not maintainable under Order XVI Rules 1, 6 and 14 of the Code of Civil Procedure, 1908. I am in complete agreement with the opinion of the lower Court that filing of I.A. No.120 of 2015 by the petitioner is intended only to drag on the suit proceedings.

For the aforementioned reasons, I do not find any merit in this civil revision petition and the same is accordingly dismissed.

As a sequel to dismissal of the civil revision petition, C.R.P.M.P. No.4572 of 2017 shall stand disposed of as infructuous.

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C.V. NAGARJUNA REDDY, J

21-07-2017

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