

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CIVIL REVISION PETITION No.5149 of 2017

ORDER :

Heard both sides and perused the impugned order of the lower Court and the grounds urged in the revision petition.

2. Undisputedly, the plaintiff's evidence is closed by the time the so-called document petition of the plaintiff to receive filed under Order VII Rule 14(3) C.P.C., which are nothing but the so-called tax receipts. It is not even stated much less by filing another application by recall of PW.1 if at all. Needless to say, even without filing a document petition to receive with a memo, the Court can in the cross-examine of opposite party, more particularly envisaged either under Order VII Rule 14 clause (4) C.P.C. or Order VIII Rule 1A clause (4) C.P.C. confront the other side, for which the Court cannot insist to file a document receive petition. It is not even such a recourse apart from that this petition is not required.

3. Having regard to the above and with these observations, leave about such a petition if at all, in the defendants evidence to confront if admitted to exhibit with memo to file and, otherwise to file to receive documents if necessary, along with application for recall, having been given liberty by virtue of this order.

4. Accordingly and in the result, the civil revision petition is disposed of.

Miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

Dr. B. SIVA SANKARA RAO, J

8th November 2017.

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