

HONOURABLE SRI JUSTICE P NAVEEN RAO
CIVIL REVISION PETITION NO. 3993 OF 2017

Date: 21.09.2017

Between:

Katanguri Sudhakar Reddy, S/o. late Venkat Reddy,
Aged 76 years, R/o.H.No.2-9-590,
Reddy Function Hall, Hanamkonda, Warangal Petitioner

And

Katanguri Rajender Reddy
S/o.late Venkat Reddy,
64 years
R/o.H.No.2-222, Parkal Village and mandal,
Warangal and others Respondents

The Court made the following:



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ORAL ORDER:

First plaintiff filed I.A No. 463 of 2013 in O.S. No. 242 of 2008 to amend the plaint. First defendant opposed the said claim and a detailed counter affidavit was also filed. By order dated 22.3.2017 the trial Court allowed the petition. The order does not contain any reasons, except saying 'petition is allowed'. Challenging the said order, this revision is filed.

Apart from the merits of rival claims and entitlement of plaintiff to seek amendment as sought for in I.A. No. 463 of 2013, the point to be noted is, trial Court, having regard to the fact that petition is opposed by first defendant, ought to have assigned reasons in support of the decision. The primary requirement of judicial order is it must contain reasons in support of its decision, particularly when there is contest and prayer sought by the petitioner/plaintiff was opposed by first defendant. The order under challenge is liable to be set aside on this ground and accordingly set aside and matter is remitted to the trial Court for fresh consideration of I.A. No. 463 of 2013. After hearing the respective parties, it shall pass appropriate orders as warranted by law. Further, having regard to the fact that suit is of year 2008 and I.A. was filed in the year 2013, the trial Court shall pass appropriate orders as expeditiously as possible, preferably within a period of four weeks from the date of receipt of copy of this order. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

P.NAVEEN RAO,J

DATE: 21.09.2017
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