

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CIVIL REVISION PETITION No.5283 of 2017

ORDER:

Heard the learned counsel for the petitioner and the matter is disposed of at the admission stage as it is not expedient to order notice on the respondent.

2. The instant Civil Revision Petition is filed aggrieved by order, dated 05.05.2017, in I.A.No.264 of 2017 in O.P.No.1427 of 2016 on the file of Additional Family Court, Hyderabad, whereunder the learned Judge allowed the petition filed by the respondent/wife under Order IX Rule 7 read with Section 151 C.P.C. to set aside the *ex parte* order, dated 08.03.2017, in O.P.No.1427 of 2016 by imposing costs of Rs.1,000/-.

3. The learned counsel for the petitioner submits that the respondent has not stated proper reasons to enable the Court below to set aside the *ex parte* order and in that view of the matter, the impugned order is not sustainable.

4. As can be seen, the Court below observed that the main case is a matrimonial matter and therefore, it is just and necessary to dispose of the said case on merits by giving an opportunity to both sides. Accordingly, the trial Court allowed the petition by imposing costs of Rs.1,000/-. I find no perversity or illegality in the order impugned in view of the valuable matrimonial rights of the parties are at stake.

5. Accordingly, the Civil Revision Petition is dismissed at the admission stage.

6. As a sequel, miscellaneous applications, pending if any, in this civil revision petition shall stand closed.

U.DURGA PRASAD RAO, J

11th October, 2017
GHN

