

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

CIVIL REVISION PETITION No.770 of 2014

ORDER:

Heard learned counsel for the petitioners and even though notice served on the respondents, none appeared.

Against the order in I.A.No.38 of 2014 in O.S.No.31 of 2012, it is a recall of PW.1 earlier closed permitted by Court subject to costs of Rs.500/- and costs having paid on 22.01.2014, however not chosen to cross examine, thereby that petition was dismissed same is impugned in maintaining the revision. There is stay order granted by this Court initially that was expired long back.

It is the submission of the learned counsel for the revision petitioners that the suit in stand still after the short span stay of proceedings granted by this Court though not extended subsequently and it is only for the defendants' evidence coming.

Having regard to the above, the Civil Revision Petition is allowed subject to costs of Rs.2,500/- payable by the defendant to the plaintiff within one week from the date of receipt of this order and the lower Court permit cross examination of PW.1 on the date to be fixed by the Court. Any non-compliance, the order of the lower Court holds good without any further reference to this Court.

Consequently, miscellaneous petitions, if any shall stand closed. No costs.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 19.12.2017
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