

THE HON'BLE SRI JUSTICE SURESH KUMAR KAIT

CIVIL REVISION PETITION No.4235 OF 2017

ORDER:

Vide the present petition, the petitioner has challenged the order dated 31.07.2017 passed in I.A.No.297 of 2017 in O.S No.19 of 1999 by the Principal Junior Civil Judge, Narasaraopet.

2. The aforesaid I.A. was filed under Order XVI Rule 2 and Section 151 of CPC to summon the witnesses to examine on behalf of the 6th defendant.

3. It is not in dispute that the petitioner seeks to issue summons to defendants No.17, 19 and 20 in his support to prove that the allegations made by the respondent/plaintiff against him are false. It is also not in dispute that the aforementioned defendant remained ex parte in the suit. They did not evince any interest in proceeding in these proceedings. Moreover, the petitioner has not specifically stated what are the facts he wants to elicit from the witnesses.

4. It is not the case of the petitioner that the respondent/plaintiff specifically pleaded collusion in between the defendants.

5. In addition to above, the suit is of the year 1999. Now we have entered in the year 2017. If this petition is allowed, it will cause further delay to the suit to be adjudicated

6. In view of the above, I find no ground in the instant petition and the same is accordingly dismissed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE SURESH KUMAR KAIT.

Date : 22-09-2017
Gvl

