

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

CIVIL REVISION PETITION NO.4279 OF 2017

DATED:08-09-2017

Between:

Sri Varaha Lakshmi Narasimha Swamy  
Vari Devasthanam,  
Rep. by its Executive Officer,  
Simhachalam,  
Visakhapatnam District

... Petitioner

And

Vavilapalli Andalamma  
and others

... Respondents

COUNSEL FOR THE PETITIONER: Mr. G.V. Shivaji

COUNSEL FOR THE RESPONDENTS: -



THE COURT MADE THE FOLLOWING:

ORDER:

This civil revision petition is filed by defendant No.3 in O.S. No.375 of 2007 on the file of the II Additional District Judge, Visakhapatnam, feeling aggrieved by order dt.06.12.2016 in I.A. No.881 of 2016 whereby he has dismissed the said I.A. filed for rendering judgment under Order XII Rule 6 of the Code of Civil Procedure, 1908 (CPC) based on a purported admission.

While on the merits of the case I have no reason to differ with the view of the lower Court that the alleged deposition before the competent authority under the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987, does not constitute an admission within the meaning of Order XII Rule 6 of CPC, I also find another reason for not entertaining the revision petition. It is brought to my notice by Mr. P. Durga Prasad, learned counsel for respondent Nos.1 to 22, that the order under revision was passed long back and the suit itself is reserved for judgment, after completion of trial and arguments. In this view of the matter, I do not find any reason to entertain the civil revision petition at this stage.

The civil revision petition is accordingly dismissed.

As a sequel to dismissal of the civil revision petition, C.R.P.M.P. Nos.5624 and 6043 of 2017 shall stand disposed of as infructuous.

08-09-2017

---

C.V. NAGARJUNA REDDY, J

*bnr*

