

THE HON'BLE SRI JUSTICE SURESH KUMAR KAIT

CIVIL REVISION PETITION No.624 OF 2017

ORDER:

Vide the present petition, the petitioner has challenged the docket order dated 16.12.2016 passed in O.S.No.160 of 2010 by the XII Additional District Judge, Guntur and seeks direction to set aside the same. Consequently to direct the said Court to mark the copies of Partnership deeds dated 26.05.1973 and 09.12.1975 of M/s. Jai Bharat Cotton Industries duly attested by the Income Tax Officer, C Ward, Guntur and Xerox copies of the partnership deed dated 01.08.1979, retirement deed dated 21.09.1984, partnership deed dated 21.09.1984 and retirement deed dated 20.02.1987 as exhibits in 'A' series on the side of the petitioner/plaintiff in O.S. No.160 of 2010.

2. On the last date of hearing, learned counsel for the respondents sought time to take instructions and assist the Court on the next date of hearing. Therefore, the matter is listed for the said purpose.

3. Learned counsel for the respondents has fairly conceded that let the order dated 16.12.2016 be set aside and directed the Court below to pass fresh order on the documents No.15 to 18 after hearing both the parties.

4. Learned Senior counsel for the petitioner submits that as is evident from page-72, there is a stamp of Income Tax Officer, C Ward, Guntur. However, I failed to understand

as to why the Court below has stated that there is no seal on the attested documents, therefore, it seems to be not genuine.

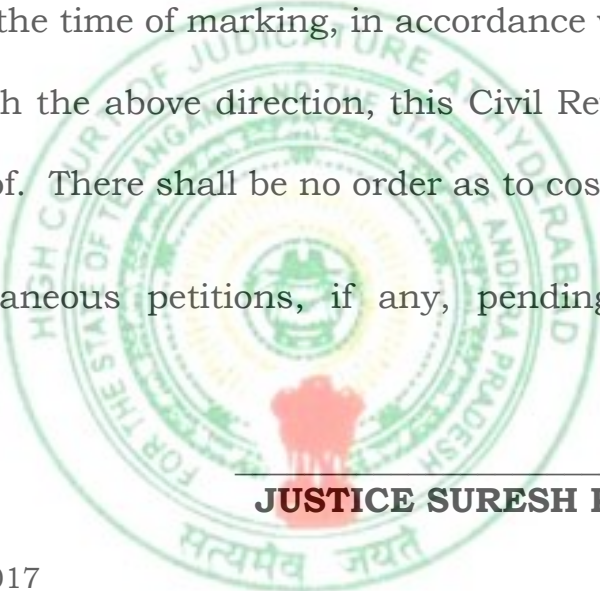
5. Without commenting much on the merit of the case, I hereby set aside the docket order dated 16.12.2016 passed in O.S.No.160 of 2010 by the Court below.

6. Accordingly, the Court below is directed to pass a fresh order qua the documents No.3, 4 and 15 to 18 after hearing both the parties.

7. It is needless to state that the respondents may take objection at the time of marking, in accordance with law.

8. With the above direction, this Civil Revision Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending shall stand closed.



JUSTICE SURESH KUMAR KAIT.

Date :21-02-2017

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