

HONOURABLE SRI JUSTICE P. NAVEEN RAO

CIVIL REVISION PETITION No. 2042 of 2017

Date :31.07.2017

Between :

G Venkataiah S/o Yellaiah  
71 years  
R/o Madikonda, Warangal

Petitioner

And

Pasarugonda Illaiah S/o Ramaiah  
75 yrs R/o Nashkal village  
Station Ghanpur mandal,  
Warangal and others

Respondents

The Court made the following:



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ORAL ORDER:

Petitioner herein is plaintiff. He filed O.S. No. 1170 of 2002 on the file of Principal Junior Civil Judge, Warangal seeking permanent injunction against defendants. In the said suit he filed I.A. No. 811 of 2016 under Order VII Rule 14 read with Section 151 of CPC to receive the enlisted document.

2. The trial court considered the issue in detail and dismissed the application by order dated 17.2.2017 on the ground that the alleged document dated 6.2.2014 is a post suit document; the reason for delay in filing the document is not justifiable; after waiting for one year and when the case is at the stage of arguments came up with subject petition as such petitioner is non-diligent in prosecuting his case and intends to drag the proceedings on one or other pretext.

3. Filing of application to receive the document belatedly and at the stage of arguments cannot be appreciated. Having regard to the history of the case, the trial Court has rightly dismissed the application. I see no error in the order under review warranting interference of this Court. The revision fails and accordingly the same is dismissed. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

DATE:31.7.2017  
TVK

P NAVEEN RAO,J

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