

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CIVIL REVISION PETITION No. 4691 OF 2016

ORDER :

The petitioner - plaintiff filed O.S. No. 62 of 2015 on the file of the Junior Civil Judge's Court at Naidupet for the relief of specific performance of the agreement of sale dated 22.05.1987 executed by the respondent - defendant. The said suit is at the stage of plaintiff's side evidence. Then, the petitioner has taken out I.A. No. 946 of 2015 under Order VII Rule 14(1) of the Code of Civil Procedure to bring on record the certified copy of the file RCB No. 226/2013 with regard to the mutation of the name of the plaintiff as enjoydar for the suit schedule survey No. 143-5 and for other survey numbers issued by the Tahsildar, Naidupeta dated 19.02.2015. On contest, the said Application was dismissed by the order dated 27.01.2016. Challenging the said order, this Revision has been preferred.

Heard learned counsel for the petitioner Sri Sasanka Bhuvanagiri.

From the material placed on record of the case and considering the nature of the document and the stage at which the suit proceedings are pending, this Court is of the view that no prejudice would have been caused to the respondent - defendant, if the I.A. was allowed on terms.

Hence, the order dated 27.01.2016 is set aside and I.A.No. 946 of 2015 is allowed, however, on payment of costs of Rs.2,000/- (Rupees two thousand only) to the respondent – defendant, within a week from today.

With this, the Civil Revision Petition stands allowed. No costs.

Consequently, the miscellaneous Applications, if any shall stand disposed of.

CHALLA KODANDA RAM, J

03rd February 2017

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