

THE HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

CIVIL REVISION PETITION No.3657 of 2017

ORDER:

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed by the petitioner assailing the order, dated 19-06-2017 passed in I.A.No.159 of 2016 in O.S.No.22 of 2014 by the Senior Civil Judge, Sircilla, whereby, the application filed by the petitioner herein requesting to receive the true copy of the Irrevocable Power of Attorney, dated 07.05.2007, and mark the same as an exhibit in the suit, was dismissed.

Learned counsel for the Petitioner states that the said true copy of the Irrevocable Power of Attorney, dated 07.05.2007, is very much relevant for adjudicating the dispute in the suit and the said application was filed for mere receiving of the said document, but not for considering admissibility or relevancy of the said document and hence, the dismissal of the said application by the Court below is erroneous.

The Court below dismissed the petition on the ground that there is no whisper in the Written Statement with regard to existence of the said Irrevocable Power of Attorney. The Court below also found that the said Irrevocable Power of Attorney is only a true copy attested by Special Executive Officer, but not the Original. The Court below also found that the contents of the said Power of Attorney do not contain either to revoke or cancel the registered Gift Settlement Deed, dated 14.06.2006. A copy

of said Power of Attorney is produced before this Court and this Court has perused the same. A perusal of the same makes it clear that there is no mention in the said Power of Attorney to cancel or revoke the registered Gift Settlement Deed, dated 14.06.2006. In view of the same, no purpose would be served in receiving the said document and marking the same as an exhibit and the said aspect is undisputed. In that view of the matter, I do not see any reason to interfere with the impugned order. The Civil Revision Petition lacks merit and is liable to be dismissed.

Accordingly, the Civil Revision Petition is dismissed. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

A.RAJASEKHER REDDY, J

04th August, 2017
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August 04, 2017

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