

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CIVIL REVISION PETITION No.6175 of 2016

ORDER:

1 Challenging the order of dismissal dated 29.11.2016 passed in I.A.No.169 of 2013 in O.S.No.244 of 2013 on the file of the Court of Sub Divisional Magistrate & Special Assistant Agent to Government, Mobile Court, Bhadrachalam the petitioner filed the present Civil Revision Petition under Article 227 of the Constitution of India.

2 A perusal of the record reveals that initially there was an *ex parte* interim order dated 12.11.2013 in favour of the petitioner in I.A.No.169 of 2013 and ultimately after filing of counter by the respondents, the said I.A. was dismissed on 29.11.2016.

3 At the time of hearing, both counsel submitted that the learned Sub Divisional Magistrate, Mobile Court, is not marking the documents filed by both parties. Both counsel with one voice submitted that the Sub Divisional Magistrate & Special Assistant Agent to Government, Mobile Court, Bhadrachalam, may be directed to dispose of I.A.No.169 of 2013 afresh.

4 In view of the submission made by the learned counsel for both parties, without going into the merits of the main case, the impugned order is set aside and the learned Sub Divisional Magistrate & Special Assistant Agent to Government, Mobile Court, Bhadrachalam, is hereby directed to dispose of the I.A.No.169 of 2013 afresh in accordance with law, after affording reasonable opportunity to both parties to mark the documents, if any, filed by them and without being influenced by any of the observations made

him in the earlier orders, within a period of three (3) months from the date of receipt of copy of this order.

5 With the above direction, the C.R.P. is disposed of. As a sequel, the miscellaneous petitions, pending if any, shall stand closed.

T.SUNIL CHOWDARY, J

6th October 2017
Rns

