

THE HON'BLE SRI JUSTICE SANJAY KUMAR
CIVIL REVISION PETITION No. 1857 of 2017

ORDER:

This Civil Revision Petition under Article 227 of the Constitution arises out of the order dated 30.11.2016 passed by the learned XV Additional District Judge-cum-XV Metropolitan Sessions Judge-cum-II Additional Family Judge, Kukatpally at Miyapur, Ranga Reddy District, in I.A.No.786 of 2015 in F.C.O.P.No.403 of 2013. This I.A was filed under Order VII Rule 14 (3) C.P.C read with Section 151 C.P.C to grant leave to the petitioner to file additional documents. By the order under revision, the Court below allowed the petition subject to proof and relevancy.

Significantly, the petitioner herein being the second respondent in the O.P filed a counter contesting the application. However, the Court below did not deem it necessary to consider the objections raised by the petitioner/second respondent in the said counter.

Taking note of this aspect, this Court granted interim stay of all further proceedings in the O.P. *vide* order dated 13.04.2017.

Sri Anand Kumar Kapoor, learned counsel representing M/s. Lawyers and Solicitors, appearing for the first respondent, would fairly concede that the order under revision does not record any reason for allowing the petition.

That being so, the order dated 30.11.2016 passed by the learned XV Additional District Judge-cum-XV Metropolitan Sessions Judge-cum-II Additional Family Judge, Kukatpally at Miyapur, Ranga Reddy District, in I.A.No.786 of 2015 in F.C.O.P.No.403 of 2013 is set aside and the matter is remitted to the file of the learned XV Additional District Judge-cum-XV Metropolitan Sessions Judge-cum-II Additional Family Judge, Kukatpally

at Miyapur, Ranga Reddy District, for fresh consideration on merits. As this is the second round of litigation insofar as this I.A is concerned, the Court below is directed to consider the same and pass appropriate orders thereon expeditiously.

The Civil Revision Petition is accordingly allowed. Interim order dated 13.04.2017 shall stand vacated. Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

JUSTICE SANJAY KUMAR

Date:23.06.2017
va

