

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

CRP No.4825 OF 2017

ORDER ::

This civil revision petition is filed against the order dated 30-08-2017 passed in OS No.163 of 2003 by the Addl. Senior Civil Judge, Kovvur.

2. The petitioner herein is the plaintiff in the suit. The suit was filed for the relief of cancellation of decree in OS No.199 of 1988. By the impugned order the Court below refused to permit the plaintiff to cross examine the 4th defendant on the ground that the 4th respondent adopted the memo filed defendants 2 and 3 admitting the claim of the plaintiff and they sought for passing a decree as prayed for the plaintiff. Hence, this civil revision petition by the plaintiff.

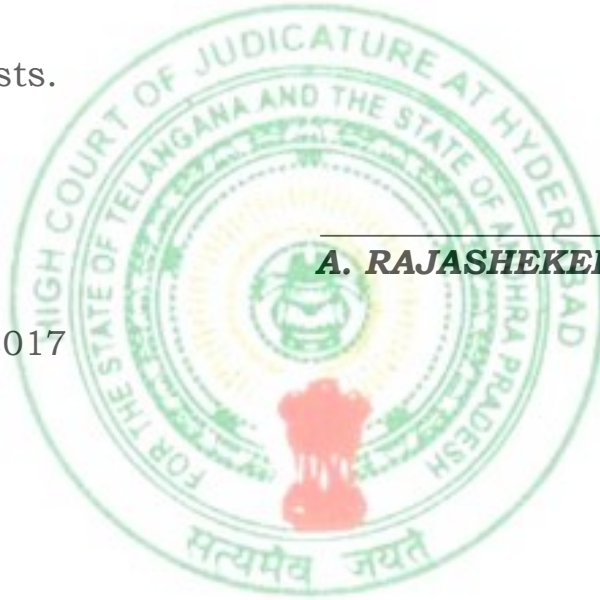
3. Heard the learned counsel for the petitioner. Perused the impugned order.

4. Admittedly, defendants 2 and 3 have expressed no objection for granting the relief sought for by the plaintiff and the 4th defendant adopted the memo filed by defendants 2 and 3 in that behalf. 1st defendant alone is contesting the suit. It is to be seen that the defendants 2 to 4 have not taken any

specific pleas of their own and when they express no objection for allowing the suit as prayed for, the plaintiff has nothing further to cross examine them, when they are in fact supporting his claim. The order passed by the Court below does not suffer from any illegality or irregularity. In the circumstances, the civil revision petition fails and it is accordingly dismissed. Miscellaneous petitions, if any pending in this case shall also stand dismissed. There shall be no order as to costs.

A. RAJASHEKER REDDY, J

Dated: 30-11-2017
NRG



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