

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

CIVIL REVISION PETITION No.4963 OF 2017

ORDER:

Heard learned counsel for petitioner and notice to the respondents is dispensed with in view of the nature of the disposal of the present civil revision petition.

The civil revision petition is filed by the petitioner/plaintiff in O.S.No.117 of 2010 on the file of the Senior Civil Judge, Addanki, Prakasam District. The plaintiff filed I.A.No.108 of 2011 seeking inclusion of item No.10 to the plaint schedule and also impleading the purchaser as defendant in the suit. The said application was dismissed on 28.08.2017.

The application is mainly dismissed on the ground that two different reliefs are sought in violation of Rule 55 of the Civil Rules of Practice. Since the application was dismissed on technical ground, this Court does not find fault with the said order, but gives liberty to the petitioner to file fresh applications, for each individual relief, if the petitioner so chooses, and as and when the petitioner files such applications, the trial Court is directed to consider the same in accordance with law uninfluenced by the earlier dismissal order, dated 28.08.2017. It is made clear that this Order cannot be construed as an order directing the trial Court to consider the application and allowing the same without having regard to the facts of the case.

The civil revision petition is accordingly disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed.

A.RAMALINGESWARA RAO, J

06.10.2017
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