

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CIVIL REVISION PETITION No.5156 of 2016

ORDER :

The Civil Revision Petition is filed by the petitioners/ defendants, aggrieved by the order dated 06.09.2016 in I.A.No.577 of 2016 in O.S.No.1155 of 2002 on the file of the II Additional Senior Civil Judge at L.B.Nagar, Ranga Reddy District.

2. Sri K.Venu Madhav, learned counsel appearing for the petitioners 7 to 9 since not pressed the revision, the revision against petitioners 7 to 9 is dismissed as not pressed. Heard both sides.

3. The impugned order preventing the 2nd defendant to come to the witness box saying the 1st defendant is already examined and no permission petition under Order XVIII Rule 3 C.P.C. filed is unsustainable, for the bar is for a witness first examined without such permission a party cannot come to the witness box, has no application for independent defendants in respect of their evidence or even for a common evidence.

4. Accordingly, the Civil Revision Petition is allowed, by setting aside the order dated 06.09.2016 in I.A.No.577 of 2016 in O.S.No.1155 of 2002 on the file of the II Additional Senior Civil Judge at L.B.Nagar, Ranga Reddy District and D.W.2 is permitted for examination.

5. Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

Dr. B. SIVA SANKARA RAO, J

Date:08-11-2017
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