

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

CIVIL REVISION PETITION No. 5781 of 2017

ORDER:

1) The present Civil Revision Petition is filed under Section 115 of C.P.C., aggrieved by the order, dated 05.10.2017, passed in E.A.No.588 of 2017 in E.P.No.193 of 2016 in O.S.No.146 of 1987 on the file of the Principal Senior Civil Judge, Kakinada, wherein an application filed under Order 21 Rule 97 and Order 26 Rule 9 of C.P.C. seeking appointment of an advocate-commissioner to localize the plaint schedule property with the assistance of the Surveyor was dismissed.

2) When the matter is taken up for hearing, learned counsel for the first respondent/plaintiff would submit that after passing the impugned order, the trial Court allowed E.A.Nos.718, 719 and 720 of 2017. Consequently, the Field Assistant/Amin was permitted to take assistance of the Mandal Surveyor, for delivering possession of the E.P.schedule property.

3) Learned counsel for the petitioner did not dispute the same.

4) Having to the above, I feel that it may not be necessary to appoint an advocate-commissioner. However, at the time of execution of the decree, identification and localization of the property, the petitioner/J.Dr. shall be allowed to present and participate in the proceedings. If any objection is raised, the

same shall be taken into consideration and recorded in the proceedings.

5) With the above direction, the Civil Revision Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE C. PRAVEEN KUMAR

20.11.2017

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