

HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

C.R.P.No.5827 of 2017

Date : 03-11-2017

Between:

Vuppalati Babu Rao and others

.. Petitioners

And

Sunkara Veerabhadra Rao

.. Respondents

Counsel for petitioner : Sri G.V.S. Mehar Kumar

Counsel for respondent : --



The Court made the following:

ORDER:

This Civil Revision Petition is filed against order dated 20-2-2017 in I.A.No.390 of 2016 in O.S.No.117 of 2012 on the file of the learned Principal Junior Civil Judge, Yellamanchili.

The aforementioned application filed by the petitioners/defendants after the commencement of trial seeking appointment of an Advocate-Commissioner was dismissed by the lower Court.

As rightly pointed out by the lower Court, the respondent being the plaintiff who filed the suit for declaration of title and recovery of possession, the burden lies on him to show that the property belongs to him. Therefore, the application filed by the petitioners/defendants for appointment of an Advocate-Commissioner for measuring the property allegedly encroached by the respondent/plaintiff is misconceived and the same is therefore rightly dismissed by the lower Court.

The Civil Revision Petition is accordingly dismissed.

As a sequel to the dismissal of the Civil Revision Petition, CRPMP No.7523 of 2017 filed for interim relief is disposed of as infructuous.

Justice C.V. Nagarjuna Reddy

Date : 03-11-2017
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