

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

CRP No.721 of 2018

ORDER:

1 This Civil Revision Petition is filed under Article 227 of the Constitution of India assailing the order dated 20.07.2017 passed in I.A.No.821 of 2015 in O.S.No.228 of 2012 on the file of the Court of the Additional Senior Civil Judge, Gudivada.

2 Heard the learned counsel for both parties.

3 The point that arises for consideration is “whether there is any illegality, irregularity or impropriety in the impugned order?”

4 The petitioner filed I.A.No.820 of 2017 in O.S.No.228 of 2012 before the trial court to recall P.W.3, which was allowed. Against that order, the respondent filed Civil Revision Petition No.568 of 2018 challenging the order dated 20.07.2018 passed in I.A.No.820 of 2012. Today this court set aside the order passed in I.A.No.820 of 2018 while allowing the Civil Revision Petition No.568 of 2018. In view of the allowing of Civil Revision Petition No.568 of 2018, no detailed order need be passed in this Civil Revision Petition.

5 In the result, the Civil Revision Petition is allowed, the order dated 20.07.2017 passed in I.A.No.821 of 2015 in O.S.No.228 of 2012 on the file of the Court of the Additional Senior Civil Judge, Gudivada is hereby set aside, remanding the matter to the trial Court. The trial court is hereby directed to dispose of I.A.No.821 of 2015 in accordance with law afresh. No order as to costs. As a sequel, miscellaneous petitions, if any pending in this Civil Revision Petition shall stand closed.

T.SUNIL CHOWDARY, J

Date: 17.12.2018
Kvsn