

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

CIVIL REVISION PETITION No.1702 OF 2017

ORDER:

This civil revision petition is filed by the petitioner-plaintiff, under Article 227 of the Constitution of India, assailing the order dated 27.12.2016 in I.A. No.628 of 2016 in O.S. No.852 of 2016 on the file of the Court of II Additional Senior Civil Judge, Vijayawada.

2. Heard the learned counsel for both the parties.

3. A perusal of the record reveals that the petitioner filed O.S. No.852 of 2016 against the respondents for perpetual injunction. Along with the suit, the petitioner filed I.A.No.628 of 2016 under Order XXXIX Rules 1 and 2 of CPC seeking *ad interim* injunction. The respondents filed counters. During the course of enquiry, the respondents herein requested the trial Court to mark two certified copies of receipts dated 24.2.2016 as Exs.R.6 and R.7. The petitioner raised objection to mark the said receipts. The trial Court negated the objection raised by the petitioner. Hence, the revision.

4. At the time of arguments, learned counsel for respondents submitted that the respondents are not intending to mark Exs.R.6 and R.7. In view of the said submission, the impugned order is liable to be set aside.

5. In the result, the civil revision petition is allowed, setting aside the order dated 27.12.2016 in I.A. No.628 of 2016 in O.S. No.852 of 2016 on the file of the Court of II Additional Senior Civil Judge, Vijayawada. Consequently, the objection raised by the petitioner for marking the proposed documents as Exs.R.6 and R.7 is sustained. Miscellaneous petitions if any pending in this revision petition shall stand closed.

T.SUNIL CHOWDARY, J.

Date: 10.7.2018
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