

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

CIVIL REVISION PETITION No.639 OF 2018

ORDER:

This petition is filed under Article 227 of the Constitution of India assailing the order, dated 30.11.2017, passed in I.A.No.480 of 2017 in O.S.No.539 of 2012 on the file of the Court of the XIV Additional District Judge, Ranga Reddy District at L.B. Nagar.

2. Heard the learned counsel appearing for both the parties and perused the material on record.

3. The point that arises for consideration is:

“Whether there is any illegality, irregularity or impropriety in the order of the trial Court.”

4. A perusal of the record reveals that the petitioner filed O.S.No.539 of 2012 on the file of XIV Additional District Court, Ranga Reddy District at L.B. Nagar, against the respondents for declaration and recovery of possession of the suit schedule property. The respondents filed written statement denying all the averments made in the plaint, *inter alia* contending that the petitioner is not entitled for the relief of declaration. During pendency of the suit, the respondents filed I.A.No.480 of 2017 under Order VIII Rule 1-A (3) C.P.C. to receive the list of documents. The petitioner filed a counter *inter alia* contending that the respondents have not satisfied the ingredients of Order VIII Rule 1-A (3) C.P.C. and therefore, the petition is liable to be dismissed. The trial Court, after affording reasonable opportunity to both the parties, allowed the petition. Hence, the revision.

5. A perusal of the record reveals that the respondents have filed photo copies of the documents in question along with the written

statement. The present petition is filed to receive the original documents. The trial Court allowed the petition. The respondents laid a foundation about the documents in question in the written statement. The respondents also filed photo copies of the documents. Now they want to file original documents in the place of photo copies. The trial Court considered the material available on record in right perspective and allowed the petition. I am fully endorsing with the findings recorded by the trial Court. There is no illegality, irregularity or impropriety in the order of the trial Court warranting interference of this Court.

6. In the result, the Civil Revision Petition is dismissed. However, the documents in question are received subject to proof and relevancy.

There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Civil Revision Petition shall stand closed.

17th December, 2018
MD

T. SUNIL CHOWDARY, J