

HON'BLE SRI JUSTICE SURESH KUMAR KAIT

C.R.P. No.378 OF 2018

ORDER : (Oral)

Vide the present petition, the petitioners have challenged the order dated 12.12.2017 passed in I.A.No.488 of 2016 in O.S.No.539 of 1996 on the file of the I Additional Senior Civil Judge, Guntur.

2. The aforesaid I.A has been filed by the petitioners before the Court below under Order VIII Rule 1 (3) and Section 151 of CPC to receive the municipal tax receipts which are 32 in number Xerox copies for which the originals are filed in I.A.No.3956 of 1996 in O.S.No.539 of 1996 on the file of Principal Senior Civil Judge, Guntur dated 04.08.1998 to mark the documents along with 33 Xerox copies of documents, has been dismissed.

3. It is not in dispute that the documents marked in I.A.No.3956 of 1996 have been misplaced from the record of the Court therefore the learned counsel for the respondent has no objection if the direction is issued to the Court below to reconstruct the documents filed in I.A.No.3956 of 1996.

4. Accordingly, I hereby direct the Court below to reconstruct the documents filed and marked in I.A.No.3956 of 1996 in O.S No.539 of 1996.

5. I hereby make it clear that vide the present petition the petitioner is confined to mark the documents Ex.B33 to Ex.B65 except Ex.B44 and Ex.B27.

6. Accordingly, the trial Court shall reconstruct only the aforesaid documents and their relevancy shall be considered at the time of marking those documents on merit.

7. Since the earlier two times this Court has directed the Court below to dispose of the matter as earliest therefore again a direction is issued to the Court below to dispose of the suit which is of the year 1996 within four (04) months from the date of receipt of a copy of this order by giving opportunity to both parties.

8. In view of 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.

SURESH KUMAR KAIT, J.

Date : 29-03-2018
Gvl