

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

CIVIL REVISION PETITION No.538 OF 2018

ORDER :

This Civil Revision Petition is filed by the petitioner/1st defendant against order dated 27.12.2017 in I.A.No.1333 of 2017 in O.S.No.488 of 2009 wherein and whereby the Court below dismissed the application filed by the petitioner herein under Order 26 rule 9 and Section 151 of CPC for appointment of Advocate Commissioner.

Heard learned counsel for the petitioner, who submits that appointment of Advocate Commissioner is very much necessary for localizing the suit schedule property and it will aid the Court below for adjudicating the suit and that there is nothing wrong in appointment of advocate commissioner for noting down the physical features of the suit schedule property.

It is to be seen that the suit is of the year 2009 and the trial Court also observed that the suit is at the fag end trial. A perusal of the affidavit filed by the petitioner before the Court below is also very vague and there is no valid reason given for filing the application at that belated stage. More so, the suit is for declaration of title by the respondents/plaintiffs. If the petitioner's request is bonafide, she could have made such a request long back.

In view of the same, I do not see any illegality or infirmity or illegality in the orders passed by the Court below.

Accordingly, this Civil Revision Petition is dismissed. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand dismissed.

A.RAJASHEKER REDDY, J

02-02-2018
kvs



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