

THE HON'BLE SRI JUSTICE SANJAY KUMAR

CIVIL REVISION PETITION NO.604 OF 2018

O R D E R

The petitioners in this civil revision petition under Article 227 of the Constitution are the plaintiffs in O.S.No.2575 of 2005 on the file of the learned Principal Junior Civil Judge, Ranga Reddy District at L.B.Nagar. They are aggrieved by the Docket Order dated 24.01.2018 whereby the trial Court opined that the General Power of Attorney document produced by the defendants could be admitted and looked into for collateral purposes as it was properly stamped.

Sri A.H.Chakravarthy, learned counsel for the petitioners, would point out that C.R.P.No.1015 of 2016 was filed by his clients earlier aggrieved by the order of the trial Court in I.A.No.1000 of 2015 filed in this suit in the context of the very same GPA and this Court observed therein that it was ultimately for the trial Court to decide as to whether the document in question could be marked for collateral purposes and upon considering the objections regarding its admissibility, proof and relevance. He would state that as the trial Court failed to reiterate the said observations in the present order, his clients were constrained to approach this Court.

Sri G.Subash, learned counsel representing Smt. A.Anasuya, learned counsel on caveat for the first respondent/first defendant, states that he has no objection to reiteration of the observations made earlier.

This Court is of the opinion that the trial Court is bound to take note of the observations made by this Court earlier in C.R.P.No.1015 of 2016. Merely because the same did not find

reflection in the order under revision, it cannot be construed that the trial Court is unmindful of the same.

Though the second respondent/second defendant is not served as on date, this order is being passed without affording an opportunity of hearing to him as this Court has merely reiterated the observations made in earlier C.R.P.No.1015 of 2016 and no fresh adjudication is undertaken.

The civil revision petition is disposed of directing the trial Court to take note of and act in accordance with the aforestated observations in C.R.P.No.1015 of 2016. Pending miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

16th FEBRUARY, 2018

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SANJAY KUMAR, J

