

HON'BLE SRI JUSTICE SURESH KUMAR KAIT

C.R.P. No.1044 OF 2018

ORDER : (Oral)

Vide the present petition, the petitioners/defendants have challenged the order dated 12.09.2017 passed in I.A.No.1219 of 2017 in IA No.3193 of 2014 in OS NO.446 of 2014 on the file of IV Additional District Judge, Guntur, whereby the petitioners sought cross-examination of the respondent/plaintiff to disprove the contention of respondent/plaintiff filed in I.A.No.853 of 2017.

2. Admittedly, the aforesaid application I.A.No.853 of 2017 is pending for adjudication before the trial Court therefore there is no occasion before the trial Court to allow the petition I.A.No.1219 of 2017 and rightly dismissed the same vide order dated 12.09.2017.

3. However, in the facts and circumstances, I hereby, while not interfering with order dated 12.09.2017, direct the trial Court to dispose of I.A.No.853 of 2017 before further proceedings in O.S.No.446 of 2017 keeping in view the order dated 04.04.2016 passed in CMA No.12 of 2016 after giving opportunity to both parties.

3. With 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 : 23-03-2018
Gvl

