

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

CIVIL REVISION PETITION NO.865 OF 2018

DATED:16-02-2018

Between:

Sri Peram Appi Reddy
and others

... Petitioners

And

Aditya Educational Society (Marvel School)
Azeemabad, Kantithi Road, New Gajuwaka
Rep. by its alleged Correspondent – Secretary
Smt.Kamireddy Aruna Kumari
R/at.D.No.11-37-18,
Azeemabad, New Gajuwaka
Visakhapatnam
and others

... Respondents

COUNSEL FOR THE PETITIONERS: Mr. G. Venkat Reddy

COUNSEL FOR THE RESPONDENT: -

THE COURT MADE THE FOLLOWING:

ORDER:

The petitioners, who are impleaded at the instance of respondent No.1 as defendant Nos.2, 3 and 5 in O.S. No.628 of 2003 on the file of the I Additional Senior Civil Judge, Visakhapatnam, filed this revision petition, feeling aggrieved by order dt.3.1.2018 in I.A. No.97 of 2017 permitting respondent No.1 – plaintiff to withdraw the suit.

When this Court has put a query to Mr. G. Venkata Reddy, learned counsel for the petitioners, how his clients, who are admittedly impleaded at the instance of respondent No.1 during the pendency of the suit as defendant Nos.2, 3 and 5 suffer prejudice, if respondent No.1 – plaintiff unconditionally withdraws the suit without liberty to file a fresh suit, he failed to give a satisfactory answer. In my opinion, if respondent No.1, being the plaintiff, does not intend to pursue the suit and withdraws the same without liberty to file a fresh suit, no prejudice will be caused to the petitioners.

Hence, the civil revision petition which is an unnecessary piece of litigation is dismissed.

As a sequel to dismissal of the civil revision petition, I.A. No.1 of 2018 shall stand disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

16-2-2018

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