

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CIVIL REVISION PETITION NO.4702 OF 2017

ORDER:

This civil revision petition is filed under Article 227 of the Constitution of India, challenging the order in I.A.No.175 of 2017 in O.S.No.153 of 2012 dated 16.08.2017 passed by the IV Senior Civil Judge, City Civil Court, Hyderabad, dismissing the application filed under Sections 65 & 66 of Indian Evidence Act r/w Section 151 CPC, to receive the Photostat copy of the service certificate as secondary evidence.

The Trial Court dismissed I.A.No.175 of 2017 on the ground that, no valid ground was laid for leading secondary evidence. Aggrieved by the said order, the present civil revision petition is filed on various grounds.

During hearing, learned counsel for the petitioners Smt. D. Pramada demonstrated that the order under challenge is illegal and requested to directed the Court below to consider the documents marked before the it, through the Senior Divisional Personnel Officer, South Central Railway, since her contention is about employment of late Ashanna in the South Central Railway.

Learned counsel for the respondent, though raised several contentions, admitted that Exs.C-1 to C-8 were already marked from the records of South Central Railway.

In view of the representation made by the learned counsel for the respondent, no further adjudication is necessary in the petition, since the Court is bound to consider Exs.C-1 to C-8, for the purpose of deciding the employment of late Ashanna and his

retirement from service, if plea as to employment and retirement of late Ashanna from South Central Railway was raised.

With the above observation, the civil revision petition is disposed of.

Consequently, miscellaneous applications pending if any, shall stand closed.

JUSTICE M. SATYANARAYANA MURTHY

Date:02.11.2018

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