

THE HON'BLE SRI JUSTICE S.V.BHATT

C.R.P. No.1461 of 2018

ORDER:

The 10th defendant in O.S.No.256 of 2002 is revision petitioner. The application filed by the revision petitioner under Order XVI Rule 7 r/w Section 151 of C.P.C for summoning the Tahsildar to appear and produce records which are covered by Exs.B-9 and B-13 was dismissed by the trial court by imposing costs of Rs.500/-.

Mr.E.V.V.S.Ravi Kumar by drawing attention of the Court to the affidavit filed in I.A.No.03 of 2018 tried to convince this Court that summoning of Tahsildar to appear and produce the records which were marked as Exs.B-9 and B-13 is very much necessary and discretion is not exercised in the right perspective by the trial Court. To convince this Court, he has made the Court to go through the entire order and after going through the order, this Court is of the view that for reasons which have bearing on the prayer made by the revision petitioner, the prayer is rightly rejected. The imposition of costs of Rs.500/- appears to be onerous and ought to have been avoided by the learned trial Court for an application is filed in the manner provided by law and may be timing not very suitable. The order impugned is confirmed except to the extent of imposing of Rs.500/- costs on the revision petitioner.

The Civil Revision Petition fails and is accordingly dismissed. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Dt: 06.04.2018

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