

**THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY**

**CIVIL REVISION PETITION No.1176 OF 2018**

**ORDER:**

This Civil Revision Petition is filed under Article 227 of the Constitution of India assailing the order dated 18.12.2017 passed in I.A.No.321 of 2017 in O.S.No.20 of 2010 on the file of the Court of the Senior Civil Judge at Narayanpet.

2. Heard the learned counsel for the petitioners and the learned counsel for the respondents.

3. A perusal of the record reveals that the petitioners herein have filed O.S.No.20 of 2010 on the file of the Court of the Senior Civil Judge at Narayanpet, against the respondents for partition of the suit schedule property. Pending suit, the petitioners filed I.A.No.321 of 2017 to recall PW.1. The trial Court dismissed the said petition. Hence, the revision petition.

4. Today, this Court allowed C.R.P.Nos.1233 and 1246 of 2018 permitting the petitioners to receive the documents. In order to mark the documents, recalling of PW.1 is inevitable. The trial Court dismissed I.A.No.321 of 2017 on the sole ground that I.A.No.320 of 2017 was dismissed.

5. Taking into consideration the facts and circumstances of the case, this Court is of the considered view that it is a fit case to allow the revision petition.

6. In the result, the Civil Revision Petition is allowed setting aside the order dated 18.12.2017 passed in I.A.No.321 of 2017 in

O.S.No.20 of 2010 on the file of the Court of the Senior Civil Judge at Narayanpet. Consequently, I.A.No.321 of 2017 is allowed recalling PW.1 for the purpose of marking the documents as well as for cross-examination by respondents' counsel, if so advised. After marking the documents, the trial Court is hereby directed to close the evidence and post the matter 'for arguments'. There shall be no order as to costs.

7. Miscellaneous Petitions, if any, pending in this Civil Revision Petition shall stand closed.

Date: 21.06.2018  
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**T.SUNIL CHOWDARY, J**

