

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CIVIL REVISION PETITION No.1160 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.322 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.322 of 2017 to reopen the evidence of plaintiffs. The trial Court dismissed the said petition. Hence, the revision petition.

4. Today, this Court allowed C.R.P.No.1176 of 2018 recalling PW.1. The trial Court dismissed I.A.No.322 of 2017 on the sole ground that I.A.No.320 of 2017 was dismissed.

5. Learned counsel for both parties requested this Court to direct the trial Court to dispose of the matter as expeditiously as possible.

6. 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.

7. In the result, the Civil Revision Petition is allowed setting aside the order dated 18.12.2017 passed in I.A.No.322 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.322 of 2017 is allowed reopening the evidence on plaintiffs' side for the purpose of examination of PW.1 only. The trial Court is hereby directed to dispose of O.S.No.20 of 2010, as expeditiously as possible, preferably within a period of three (3) months from the date of receipt of a copy of this order. There shall be no order as to costs.

8. 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

