

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CIVIL REVISION PETITION No.4788 of 2016

ORDER:

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed questioning the Order dt. 12.08.2016 in I.A.No.1817 of 2015 in O.S.No.51 of 2007 passed by the Senior Civil Judge, Tadepalligudem, allowing the petition filed under Order 18 Rule 17 r/w 151 CPC to recall PW.1 on the ground that certain documents were not filed when Pw.1 was cross examined and in view of filing documents, Pw.1 is to be cross examined further.

The trial Court, upon hearing both the counsel, passed the cryptic Order dt.12.08.2016 as follows:

“ 1. that since I.A.No.1804 of 2015 is allowed, this Petition also allowed; and

2. that there is no order as to costs.”

It is seen that the Order passed by the Senior Civil Judge, Tadepalligudem, is cryptic and without any reason and therefore, such Order cannot be sustained under law. Consequently, the Order passed by the trial Court is liable to be set aside.

Accordingly, this Civil Revision Petition is allowed by setting aside the Order dt. 12.08.2016 in I.A.No.1817 of 2015 in O.S.No.51 of 2007 on the file of the Senior Civil Judge, Tadepalligudem, while remanding the matter to the trial Court to pass reasoned Order in accordance with law within a period of 15 days from the date of receipt of a copy of the Order.

M. SATYANARAYANA MURTHY, J

Date: 15-11-2018
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