

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

CIVIL REVISION PETITION No.1872 of 2018

23.03.2018

Between:

Bandarupalli Hanumayamma and others

..Petitioners

and

The Mandal Revenue Officer, Pendurti Mandal, Visakhapatnam

..Respondent

Counsel for the petitioners: Mr.Ch.Ravinder

Counsel for the respondent: --

The Court made the following:



ORDER:

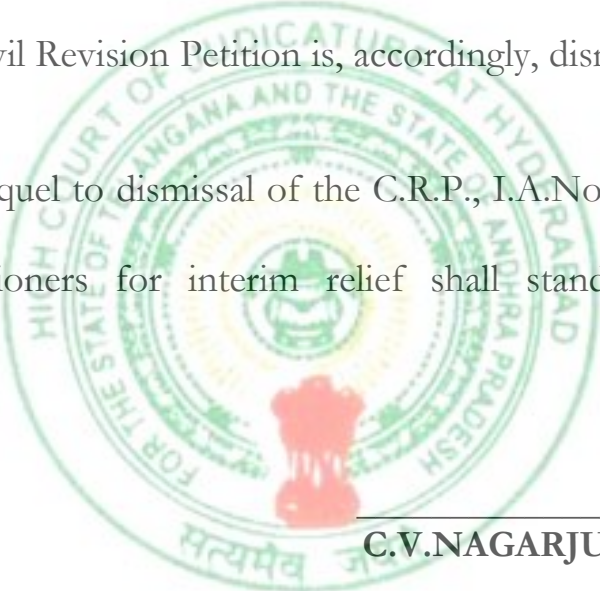
This Civil Revision Petition arises out of order, dated 05.02.2018, in I.A.No.826 of 2017 in O.S.No.1892 of 2012 on the file of learned II Additional Senior Civil Judge, Visakhapatnam.

2. By the aforementioned order, the Court below has dismissed the application filed by the petitioners under Order VII Rule 14 C.P.C. (wrongly mentioned as Order VI Rule 14 C.P.C.). Admittedly, the aforementioned application was filed at the stage of arguments. Under Order VII Rule 14 (3) C.P.C., a document which ought to be produced in Court by the plaintiff when the plaint is presented, or to be entered in the list to be added or annexed to the plaint but is not produced or entered accordingly, shall not, without the leave of the Court, be received in evidence on his behalf at the hearing of the suit. The law is well settled that a party cannot be permitted to file documents at his leisure and that he is not entitled to the leave of the Court unless he satisfies the Court that he was prevented by sufficient cause from producing the documents earlier. The documents, which are sought to be produced by the petitioners, allegedly pertain to the title of their predecessor in interest. In the affidavit filed before the Court below by the General Power of Attorney (G.P.A.) Holder of the petitioners, he stated that the documents were secured on the previous day from his neighbouring landowner. It is not known as to how the

neighbouring landowner of the petitioners possessed all the link documents of title pertaining to the land claimed by the latter. As the petitioners failed to satisfy the relevancy of the documents as well as the reasons for not producing the same till the stage of arguments, the Court below has rightly dismissed the application. Even otherwise, I am of the opinion that the proposed documents are not relevant for the purpose of disposal of the suit filed for injunction simplicitor.

3. The Civil Revision Petition is, accordingly, dismissed.

4. As a sequel to dismissal of the C.R.P., I.A.No.1 of 2018 filed by the petitioners for interim relief shall stand dismissed as infructuous.



C.V.NAGARJUNA REDDY, J

23rd March, 2018
GHN