

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CIVIL REVISION PETITION No.1743 OF 2018

ORDER:

The present Civil Revision Petition, under Article 227 of the Constitution of India, is preferred by the respondents - defendants in I.A. No.300 of 2007 in O.S. No.16 of 1992, which was allowed by the order dated 29.01.2018, by the learned Senior Civil Judge, Medak.

2. Heard Sri N. Bhupal Reddy, learned counsel for the revision petitioners - respondents - defendants, and taken up the present revision petition for disposal at the admission stage itself.

3. Perused the order under revision and also the material on record.

4. The learned counsel for the revision petitioners has raised various contentions, more particularly, that earlier, Advocate-Commissioner was already appointed pursuant to the directions given by this Court in A.S. No.1829 of 1999 contained in paragraph No.32 and again when an application was made by the respondents - petitioners - plaintiffs, appointed the very same Advocate-Commissioner, despite the fact that the documentary evidence let in by the respondents would clearly show that there was no necessity to appoint any Advocate-Commissioner to localise the subject lands.

5. Irrespective of the submissions made by the learned counsel, as could be seen from the order under revision, it is very cryptic and not a reasoned order and on that short ground, the order under revision is liable to be set aside and is accordingly set aside restoring I.A. No.300 of 2017 to its original file and directing the learned Senior Civil Judge, Medak, to dispose of the same afresh in the light of the submissions to be made by the learned counsel on either side and to pass a reasoned order as the order under challenge reads thus:

“Heard both the counsels, perused the records,
I found it is a fit case to allow the petition for proper
justification and proper adjudication of case.

Hence this petition is allowed.”

6. With the above directions, the Civil Revision Petition is disposed of, at the admission stage itself.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the present revision petition stand closed.

A. SHANKAR NARAYANA, J

March 16, 2018.

NOTE:

Issue C.C. of the order by 19.03.2018.

(BO) PV