

HON'BLE SRI JUSTICE S.V.BHATT

CIVIL REVISION PETITION No.1754 of 2018

ORDER:

Heard Smt.A.Chaya Devi for petitioners.

Respondents 1 and 2 are plaintiffs in O.S.No.175 of 2015. From the record, it is appreciated that in the said suit respondents 1 and 2 are complaining against the alleged illegal construction made by revision petitioners-defendants 1 and 2.

Respondents 1 and 2 filed I.A.No.802 of 2017 under Order 16 Rule 2 CPC for a direction to the Assistant City Planner to produce record, referred in the prayer. The trial Court has considered the affidavit, prayer and also keeping in view the issue for decision in the suit, directed production of record/file by the Assistant City Planner.

The findings recorded by the trial Court can also be viewed as discretion exercised by the trial Court to appreciate from original record the truth or otherwise on the allegations between the parties.

The trial Court since is satisfied for production of original record, this Court is not convinced with the grounds raised against the order impugned in the Civil Revision Petition.

The Civil Revision Petition fails and is accordingly dismissed.
No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Dt: 16-03-2018
Prv

