

THE HON'BLE SRI JUSTICE SANJAY KUMAR

CIVIL REVISION PETITION No.1899 of 2018

ORDER:

This civil revision petition arises out of the order dated 05.03.2018 passed by the learned XIII District and Sessions Judge, Ranga Reddy District at L.B.Nagar, in I.A.No.133 of 2018 in O.S.No.761 of 2014. The said I.A. was filed by the petitioner herein, the plaintiff in the suit, under Order 1 Rule 10 CPC seeking to implead respondents 9 to 15 as party defendants 9 to 15 in the suit. By the order under revision, the trial Court dismissed the I.A., holding that they were neither proper nor necessary parties. Hence, this civil revision petition under Article 227 of the Constitution.

Heard Sri V.Balram, learned counsel for the petitioner/plaintiff, and Sri G.Tirupathi Reddy, learned counsel on caveat for the 5th respondent/5th defendant.

Sri V.Balram, learned counsel, would submit that the petitioner/plaintiff seeks to implead respondents 9 to 15 herein who were brought into the picture by the 5th respondent/5th defendant. According to the learned counsel, the 5th respondent/5th defendant along with her relations created various documents and thereafter, entered into an agreement with the 15th respondent herein, which, in turn, entered into further agreements with respondents 9 to 14 herein. It is on this basis that the learned counsel would assert that these parties are proper and necessary parties to the litigation.

Sri G.Tirupathi Reddy, learned counsel, would however inform this Court that earlier when his client filed C.M.A.No.398 of 2017 before this Court aggrieved by the *status quo* order passed in the suit, the said appeal was disposed of by a learned Judge of this Court *vide* order dated

28.04.2017 directing the trial Court to dispose of the subject suit on or before 31.08.2017. Learned counsel would state that the matter was kept pending due to the interlocutory applications filed in the suit but is presently posted for final arguments.

It is significant to note that Sri V.Balram, learned counsel, appeared for the petitioner/plaintiff in the aforestated appeal, wherein she was arrayed as the first respondent. Being a party to the aforestated order and being well aware of the fact that the suit itself was directed to be disposed of by the end of August, 2017, the petitioner/plaintiff filed the subject implead petition only on 29.01.2018, which clearly demonstrates her lack of bonafides. In the light of the time frame fixed by this Court in the appeal, the trial Court is bound to dispose of the suit as expeditiously as possible as the time stipulation has already expired. This Court is therefore of the opinion that allowing new parties to be impleaded at this stage would further delay the disposal of the suit and would be contrary to the direction of this Court in the appeal. The effort of the petitioner/plaintiff seems to be to procrastinate and delay the disposal of the suit.

Viewed from any angle, this Court finds no error having been committed by the Court below in dismissing the subject I.A.

The civil revision petition is devoid of merit and is accordingly dismissed. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR,J

Date:29.03.2018
GJ