

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

CIVIL REVISION PETITION No.2155 of 2018

ORDER:

Proof of service on respondents in U.S.R.No.24713 of 2018 is filed. No representation for the respondents. Heard learned counsel for the revision petitioner and taken as heard the respondents and perused the grounds of revision against the impugned order of the lower Court in I.A.No.527 of 2018 in the pending suit in O.S.No.292 of 2011.

2. I.A.No.527 of 2018 is filed to re-open the suit along with connected petitions covered by independent orders of reopen PW.1's evidence by recall for exhibiting the same. These were since dismissed, the revision is maintained only against the reopen application and not against the other two. Leave about the fact that the proposed documents want to rely are Land Cist Receipt in the name of plaintiff, two complaints given to the Superintendent of Police and Inspector of Police, Cheerala, of 18th October 2012 and 28th February 2012 respectively, legal notice given to the defendants by the counsel for the plaintiff's on 08.12.2014 and postal receipts seven in number. Mainly in a suit for bare injunction based on title and possession, the criteria is as on the date of suit, the plaintiff is in possession and these documents are undisputedly subsequent to the filing of the suit in O.S.No.292 of 2011. Thereby, there is nothing to reopen for non filing of these documents or even any filing will no

way change the other evidence or the manner of appreciation.

Thereby, there is nothing to interfere with the impugned order.

3. Accordingly, the civil revision petition is dismissed.

Miscellaneous petitions pending, if any, shall stand closed. No costs.

Dr. B. SIVA SANKARA RAO, J

24th April 2018

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