

HON'BLE SRI JUSTICE Dr. B. SIVA SANKARA RAO

CIVIL REVISION PETITION No.2525 of 2018

ORDER:

This revision is filed by the petitioner/defendant No.1, aggrieved by the order dated 20.12.2017 in I.A.No.1306 of 2017 in O.S.No.104 of 2012 passed by the Senior Civil Judge, Kandukur.

2. Heard the learned counsel for the petitioner and Sri M.Ravindra, learned counsel for respondents 1 to 4 saying he got oral instructions and hence, he is permitted to assist the Court for no vakalat filed.

3. In view of the trial Court wanted to decide the preliminary issue only on the jurisdiction aspect, without undertaking the ordeal of trial on other merits that is provided by Order 14 Rule 2 C.P.C. to be read with Order 20 Rule 5 C.P.C. as also held by this Court in S.Anjana Reddy v. Palvoi Ranga Reddy¹, to the same, it is lending support including from the expression of the Apex Court in Foreshore Cooperative Housing Society Limited v. Praveen D.Desai², there is nothing to interfere with the impugned order, but for, to direct the trial Court to confine the preliminary issue only on the jurisdiction aspect and dispose of the same within two months from the date of receipt of copy of this order.

4. Consequently, miscellaneous petitions, if any shall stand closed. No order as to costs.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 27.04.2018

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¹ 2017(3) ALD 260

² 2015(6) SCC 412