

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

CIVIL REVISION PETITION No.2191 OF 2018

ORDER:

This civil revision petition is filed under Article 227 of the Constitution of India, assailing the order dated 14.3.2018 in I.A. No.72 of 2018 in O.S.No.71 of 2012 on the file of the Court of VII Additional District Judge, Mahabubnagar.

2. At the time of hearing, learned counsel for both the parties submitted that the impugned order is not maintainable either on facts or in law. Both the counsel in one voice requested this Court to set aside the impugned order and remit the matter to the trial Court for disposal in accordance with law. In view of the submission made by learned counsel for both the parties, this Court is not inclined to go into the merits of the main case.

3. Having regard to the facts and circumstances of the case and also the submissions made by both the counsel, the order dated 14.3.2018 in I.A. No.72 of 2018 in O.S.No.71 of 2012 on the file of the Court of VII Additional District Judge, Mahabubnagar, is hereby set aside. The matter is remitted to the trial Court. The learned VII Additional District Judge, Mahabubnagar, is hereby directed to dispose I.A.No.72 of 2018 on merits, after affording reasonable opportunity to both parties, in accordance with law.

4. With the above directions, the civil revision petition is allowed. Miscellaneous petitions if any pending in this petition shall stand closed.

T.SUNIL CHOWDARY, J.

Date: 21.6.2018

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