

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CIVIL REVISION PETITION No.4937 of 2018

ORDER:

This Civil Revision Petition is filed apparently without there being any impugned order.

The petitioners, who are defendants 10 to 12 in O.S.No.111 of 2017, appear to have filed a petition i.e., I.A.No.368 of 2017 under Order VII Rule 11 (a) (d) of CPC to reject the plaint. The said petition was posted by the trial Court from time to time for filing counter of respondents and ultimately, it was posted to 27.04.2018 for counter of respondents. On 27.04.2018, since the counters were not filed and the respondents were called absent, the trial Court posted the matter for hearing of I.A.No.368 of 2017 to 18.09.2018.

It appears feeling aggrieved by not deciding I.A.No.368 of 2017, the petitioners-defendants 10 to 12 filed the instant Civil Revision Petition.

This Court is unable to comprehend as to how the petitioners are aggrieved by the docket order dated 27.04.2018, which would only show that since the counter was not filed by respondents, the trial Court posted the matter for hearing of I.A.No.368 of 2017 to 18.09.2018. Instead of waiting till 18.09.2018 and arguing the matter, the petitioners filed the instant Civil Revision Petition.

This Civil Revision Petition is a premature one.

Therefore, the Civil Revision Petition is closed with a direction to the petitioners to appear before the trial Court on 18.09.2018 and address their arguments in I.A.No.368 of 2017.

This Court expects the trial Court to dispose of I.A.No.368 of 2017, after hearing both parties, on 18.09.2018.

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

No order as to costs.

U.DURGA PRASAD RAO, J

Dt: 29-08-2018

Note:

Issue C.C. by tomorrow
(B/o)
Prv



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