

THE HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CIVIL REVISION PETITION No.2826 of 2018

ORDER:

Heard Sri K. Pradeep Reddy, learned counsel for the revision petitioners.

The challenge in the present revision petition is to the order, dated 05.03.2018, in I.A.No.299 of 2017 in O.S.No.111 of 2016 passed by the learned XIX Junior Civil Judge, City Civil Court at Hyderabad, whereby and whereunder, an application filed under Order VI Rule 17 of the Code of Civil Procedure, 1908, was allowed permitting the plaintiff to amend the description of Eastern boundary as Western boundary and vice versa shown hitherto in the plaint schedule.

In the plaint schedule, the Eastern boundary is shown as 'Road', whereas Western boundary is shown as 'Shop No.42 of defendant No.1'. What all the plaintiff, the 1st respondent herein, intends to introduce is to treat the Western boundary as Eastern boundary and Eastern boundary as Western boundary. No doubt, legal knowledge is not required for mentioning the boundaries and the Court below was on wrong premise that the legal knowledge was the criteria and the plaintiff had no such legal knowledge, and that was the reason for the Court below to come to the conclusion that there is necessity to introduce the amendment, which, of course, was not proper to hold as such. However, there appears to be a mistake in

mentioning the boundaries and that mistake is sought to be rectified now. Certainly, no documents need be filed to prove the same and, in fact, the plaintiff has to establish the identity of the land with reference to the boundaries now shown by way of amendment. Indeed, it is not a case where the amendment sought for by the plaintiff can be refused. There is no merit in the present revision.

Hence, the Civil Revision Petition is dismissed at the admission stage.

Miscellaneous Petitions, if any, pending in the present petition, stand closed.

May 01, 2018.
v v

A. SHANKAR NARAYANA, J

