

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CIVIL REVISION PETITION No.2622 of 2018

ORDER:

- 1) Heard learned counsel for the petitioner. In spite of service of notice there is no representation on behalf of the respondent.
- 2) Assailing the order dated 07.03.2018, passed in I.A.No.87 of 2018 in O.S.No.93 of 2014, on the file of the Junior Civil Judge, Prathipadu, wherein an application filed to recall PW.1 for the purpose of cross-examination, was dismissed for default, the present Civil Revision Petition came to be filed.
- 3) Learned counsel for the petitioner mainly submits that the counsel could not appear before the trial Court as the advocates abstain from attending the Court on that day. He further submits that the petitioner is put to irreparable loss if PW.1 is not recalled for the purpose of his cross-examination. According to him, material facts are to be elicited for proper adjudication of the suit filed for recovery of money.
- 4) Having regard to the facts in issue the order under challenge is set-aside, the I.A.No.87 of 2018 is restored to its file and the trial Court is directed to decide the said I.A. on merits after hearing all the concerned. The petitioner shall appear before the Court on the next date of adjournment and argue the I.A. without fail.
- 5) With the above direction, the Civil Revision Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE C. PRAVEEN KUMAR

08.06.2018
gkv

