

HON' BLE Dr. JUSTICE B. SIVA SANKARA RAO

Civil Revision Petition Nos.5055 and 5558 of 2015

COMMON ORDER

The revision petitioners in both the matters are respective plaintiffs in O.S.No.63 of 2009 on the file of the learned Junior Civil Judge, Ibrahimpatnam, Ranga Reddy District at L.B.Nagar, which is a suit for permanent injunction. Pending suit plaintiff filed I.A.No.316 of 2009 for temporary injunction against the sole defendant/respondent and the same on contest was ended in dismissal on 21.10.2009 and aggrieved thereby the plaintiffs maintained C.M.A.No.773 of 2009 on the file of the X Addl.District Judge, Ranga Reddy district, that appeal also ended in dismissal on 01.09.2015. Aggrieved thereby the C.R.P.5558 of 2015 is filed.

Coming to C.R.P.No.5055 of 2015, it is aggrieved by the order dt.01.09.2015 in the said C.M.A.No.773 of 2009 and also dismissing the application in I.A.No.117 of 2015 to receive additional evidence which is the document obtained under R.T.I. Act, the resolution relating to draft lay out for Sy.Nos.204 to 207, 209, 213, 214, 217, 244/ 1A and 244/ A and 275 of an extent of Ac.25-34guntas or so.

Heard both sides and perused the material on record.

So far as the concurrent findings in dismissal of the temporary injunction application (I.A.No.316 of 2009) pending suit covered by CRP No.5558 of 2015 concerned, there is nothing to interfere that too when the suit is of the year 2009 at the fag

end of the trial but for to say none of the observations of the trial Court and lower appellate Court in dismissing the injunction application will influence the mind of the trial court in deciding the case. Consequently, the C.R.P.No.5055 of 2015 is concerned, the plaintiffs are permitted to file said document sought as additional evidence in the suit for the trial Court to receive if filed with memo and to dispose of at the earliest by virtue of this order.

Having regard to the above and in the result, the C.R.P.No.5055 of 2015 is disposed of and the C.R.P.No.5558 of 2015 is dismissed. Consequently, miscellaneous petitions, if any, pending in these Civil Revision Petitions shall stand closed.

Date:03.01.2018
vvr

Dr. B. SIVA SANKARA RAO, J

