

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

CIVIL REVISION PETITION No.2905 of 2017

ORDER:

Heard both sides.

2. The civil revision petition is allowed by setting aside the dismissal order of the lower Court for non-compliance of the costs in I.A.No.1163 of 2016 by permitting re-open and recall of PW.3 restoring his evidence for further cross-examination. Since the advocate for respondent not chosen to take the costs, the petitioner shall deposit before the Administrative Officer of the trial Court and if the respondents receive before the lower Court pay to the counsel or respondent, else to send the amount to the Sainik Welfare Fund.

Miscellaneous petitions pending, if any, shall stand closed.

5th January 2018.

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Dr. B. SIVA SANKARA RAO, J