

THE HON'BLE SRI JUSTICE S.V.BHATT

C.R.P.Nos.1153 & 1821 of 2012

COMMON ORDER:

These two Civil Revision Petitions are filed challenging the order dated 17-02-2012 in I.A.No.534 of 2011 and I.A.No.784 of 2011 in I.A.No.229 of 2008 filed in O.P.No.136 of 2008 respectively on the file of V Additional District Judge (II-FTC) Warangal.

The revision petitioner raised a fundamental question against the orders impugned in the civil revision petitions by contending that the order for production of children is passed without properly appreciating the merits of the matter, particularly, the counter already filed in O.P.No.136 of 2008. The further objection is that issuing direction to police to provide aid and assistance to respondent herein for implementation of the order made by the Family Court.

Mr.K.V.Bhanu Prasad submits that since the revision petitioner is the respondent in the court below, having due diligence to the orders passed by the Court, the revision petitioner himself will produce along with the copy of this order, the children before the learned V Additional District Judge. He further prays for consideration of prayers in these applications after receiving the counter of the revision petitioner.

The O.P. was filed in the year 2008 and these two civil revision petitions are directed against the interlocutory orders as already noticed.

This Court is of the view that taking on record the submission made by Mr.K.V.Bhanu Prasad, the orders impugned in the order can be set aside and are accordingly set aside subject to the condition of the revision petitioner within three weeks from today presents himself with a copy of this order along with a memo, the children before the trial Court. The trial Court notices the presence of the revision petitioner and the children, is given liberty to pass such other or further orders as are necessary in this behalf. The revision petitioner, if so advised is given liberty to file counter in these two applications as well. Further, the O.P. is taken up for trial and dispose of within two months from the date of receipt of copy of this order.

The civil revision petitions are ordered accordingly. No order as to costs.

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

Dt: 31.08.2018
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S. V. BHATT, J

