

HON'BLE SRI JUSTICE S.V.BHATT

CIVIL REVISION PETITION No.3727 of 2015

ORDER:

Heard Mr.C.Hari Preeth for revision petitioner and Mr.Sasanka Bhuvanagiri for respondent.

The defendant is the revision petitioner. The revision petitioner challenges a belated attempt by the respondent herein made for appointment of an Advocate Commissioner to survey the plaint schedule property with the assistance of Surveyor, note down physical features and file report.

The learned trial Judge, who is conscious of the fact that the trial is commenced, has exercised his discretion and appointed an Advocate Commissioner.

Prima facie, this Court is of the view that the discretion is exercised for the valid reasons recorded in the order impugned in the Civil Revision Petition.

This Court does not see any ground warranting interference under Article 227 of the Constitution of India.

The petitioner can give work memo and thereafter, if not satisfied with the report, file objections and everything is required to be considered in accordance with law. Therefore, at this stage, this Court is not persuaded to interfere or set aside the order impugned in the Civil Revision Petition.

The Civil Revision Petition fails and is accordingly dismissed.

No order as to costs.

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

S. V. BHATT, J

Date:21-08-2018
Prv



