

HON'BLE SRI JUSTICE S.V.BHATT

C.R.P. No.4383 OF 2018

ORDER:

Heard Ms.Nimmagadda Revathi for petitioner.

The plaintiff in O.S. No.62 of 2014 on the file of Principal District Judge, Karimnagar is the revision petitioner. The revision is filed aggrieved by the docket order dated 09.02.2018. The learned Principal District Judge through the impugned docket order declined the prayer for effecting substituted service of notice on defendant No.2 and also dismissed the suit against defendant No.2. Assuming that the reasons stated by the learned District Judge are correct, still this Court is of the view that any issue like this, the Court exercises its discretion and jurisdiction firstly to cause the justice and also prevent prejudice to one or the other party to a lis. If a party is not diligent, the same is normally corrected by imposing costs. Instead in the case on hand, the request is refused and the suit is dismissed against defendant No.2. The order impugned in the revision is set aside. I.A. No.98 of 2018 is allowed. The petitioner is permitted to take out substituted service within four weeks from today and file proof of service on 07.09.2018.

The C.R.P. is allowed accordingly. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

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S.V.BHATT, J

Date:10.08.2018

Note:

C.C.in three days.

B/o.

Stp