

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

CIVIL REVISION PETITION No.4735 OF 2018

DATED :26.10.2018

Between :

Shaik Adam Basha S/o.Shaik Madina Sharif,
Muslim, Aged 54 yrs,
Dowleswaram, E.G.District.

Petitioner

And

Shaik Bazi, S/o.Late Kadar Valli,
Muslim, Aged 55 yrs,
Private Medical Practitioner,
R/o.Telugu Para, Sukuma,
Dantiwada District, Chattisgad State & others.

Respondents



This court made the following :

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ORDER :

I.A.No.761 of 2018 in O.S.No.266 of 2009 was filed under Order XVI Rules 2 and 3 of Code of Civil Procedure, on the file of Principal Senior Civil Judge, Kovvur, praying for issuing summons to S.K.Gouse Mohiddin S/o.Shaik Madina, Kazi to attend before the Court to give evidence. Petitioner wanted calling for Kazi on the ground that he has knowledge in Muslim Law of Succession who can depose before the Court about the entitlement of petitioner under Muslim Law of Succession.

2. The trial Court did not find favour in the said application holding that the parties and witnesses speak about the entitlement of partition and other reliefs. The parties need not state anything about law or give evidence regarding law and the suit can be argued on legal aspects by the counsels and dismissed the I.A. Thus, I do not see any error in the decision arrived at by the Court below warranting interference by this Court.

3. Accordingly, the Civil Revision Petition is dismissed. Pending miscellaneous petitions shall stand closed.

P.NAVEEN RAO,J

26th October, 2018
Rds