

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CIVIL REVISION PETITION No.3737 OF 2017

ORDER:

This Civil Revision Petition is filed under Article 227 of the Constitution of India assailing the order dated 03.07.2017 passed in I.A.No.337 of 2016 in O.S.No.31 of 2013 on the file of the Court of the Senior Civil Judge at Siricilla.

2. Heard the learned counsel for the petitioner and learned counsel for the third respondent.

3. In spite of service of notice, respondent Nos.1 and 2 did not choose to appear. Hence, this Court is inclined to dispose of the revision petition on merits in the absence of respondent Nos.1 and 2.

4. Today, this Court allowed C.R.P.No.3580 of 2017 recalling DW.1. Therefore, there is no need to pass elaborate order in this revision petition.

5. Having regard to the facts and circumstances of the case, this Court is of considered view that it is a fit case to allow I.A.No.337 of 2016 in O.S.No.31 of 2013.

6. In the result, the Civil Revision Petition is allowed setting aside the order dated 03.07.2017 passed in I.A.No.337 of 2016 in O.S.No.31 of 2013 on the file of the Court of the Senior Civil Judge at Siricilla. Consequently, I.A.No.337 of 2016 is allowed reopening the evidence of respondent Nos.1 to 3/defendant Nos.1 to 3. There shall be no order as to costs.

07. Consequently, Miscellaneous Petitions, if any, pending in this Civil Revision Petition shall stand closed.

T.SUNIL CHOWDARY, J

Date: 08.06.2018

Note: Issue CC by 14.06.2018

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