

**THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

**CIVIL REVISION PETITION No.4875 of 2018**

**ORDER:**

Heard learned counsel for the petitioners.

A perusal of the impugned docket order *prima facie* discloses that the approach of the Court below in returning the plaint papers is not sustainable. It is to be noted that though there is a requirement under Order VII Rule 14 CPC to file necessary documents along with the plaint, if it is mentioned in the plaint that the original of registered Will, dated 19.02.2005, is not available and its Certified Copy would be produced, the suit would be numbered.

In those circumstances, the impugned docket order is set aside and the Court below is directed to return the plaint papers to the petitioners so as to enable them to comply with the requirement, and upon their filing Certified Copy of the alleged document along with the plaint, the Court below shall number the same, if it is otherwise in order.

This Civil Revision Petition is accordingly allowed.

Miscellaneous Petitions, if any pending, shall stand closed.

There shall be no order as to costs.

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**CHALLA KODANDA RAM, J**

31<sup>st</sup> OCTOBER, 2018.

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