

HON'BLE SRI JUSTICE S.V. BHATT

C.R.P.No.4860 OF 2018

ORDER:

Heard Mr.Venkateshwar Varanasi for petitioner.

Defendant in the suit O.S.No.156 of 2015 in the Court of the Junior Civil Judge, Godavarikhani, is the revision petitioner. The revision petitioner filed I.A.No.56 of 2018 under Order XVI Rules 1 & 5 CPC seeking to summon the Tahsildar to attend before the Court to give evidence and produce the record required in the case. The respondents/ plaintiffs opposed the prayer for summoning.

The learned trial Judge, by order dated 31.07.2018, declined the prayer of petitioner holding that the petitioner ought to have obtained certified copies of mutation proceedings and filed into the Court instead of summoning the Tahsildar with records. Hence, the revision.

I have perused the record. The trial Court has rightly dismissed the application filed by the petitioner. This Court is in agreement with the reasons recorded by the trial Court. No ground warranting interference under Article 227 of the Constitution of India is made out.

Revision fails and is, accordingly, dismissed. The trial Court is directed to dispose of O.S.No.156 of 2015 within four months from the date of receipt of a copy of this order. There shall be no order as to costs.

Pending miscellaneous petitions, if any, stands closed.

30th August, 2018
Lrkm

S.V.BHATT, J