

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CIVIL REVISION PETITION No. 5197 OF 2018

ORDER:

This civil revision petition is directed against the order dated 26.07.2018 passed in IA No.3137 of 2017 in OS No.193 of 2013 on the file of the court of Principal District Judge, Praksam District at Ongole, dismissing the petition filed by the petitioners/plaintiffs under Order-XVI Rule-14 CPC r/w. Section 151 CPC to summon defendant No.3 as court witness to adduce evidence with the entire record pertaining to the proceedings, the award of the Competent Authority for Land Acquisition for N.H.5 (for widening 4th line to 6th line) and the correspondence with defendant Nos.5 and 6 with regard to acquisition of land in Tangutur village.

2. Notice to respondent No.3 is served.
3. Heard learned counsel for petitioners/plaintiffs.
4. As can be seen from the impugned order, while dismissing the petition, the trial court while observing that examination of respondent No.3/defendant No.3 for the purpose of resolving the dispute in the suit is not necessary, however, given liberty to

obtain certified copies of the relevant documents from the concerned authority and produce the same before the trial court. In that view of the matter, this court finds no merits in the revision petition.

5. Having regard to the observation made by the trial court and in view of the submission made by the learned counsel, the civil revision petition is disposed of giving liberty to petitioners/plaintiffs to file an application before the trial court within one week from the date of receipt of the copy of this order, requesting to summon necessary records to be mentioned in the said petition from the office of respondent No.3/defndnat No.3, in which case, the trial court shall allow the application and summon necessary records and permit the plaintiff to get the relevant documents marked on their behalf as exhibits and substitute those documents with certified copies and transmit the original record to the office of defendant No.3. No costs.

6. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

U.DURGA PRASAD RAO, J