

THE HON'BLE SRI JUSTICE S.V.BHATT

C.R.P. No.1007 of 2013

ORDER:

The Civil Revision Petition directed against the order dated 06.02.2013 in I.A.No.538 of 2012 in O.S.No.228 of 2005. The revision petitioner filed the said application under Order 14 Rule 2 of Code of Civil Procedure (CPC) praying for considering and deciding the following issues as preliminary issues:

“1) Whether this Court has jurisdiction to entertain the suit?

2) Whether plaintiff has got locus standi to file the present suit against the defendants as the same is hit by Sec.79 and Order 27 of CPC?”

The said application on 06.02.2013 was dismissed. Hence, the Civil Revision Petition.

The revision petitioner also filed CRP.No.6142 of 2012 challenging the order in I.A.No.92 of 2012 in O.S.No.33 of 2009 filed substantially for the same relief under Order 14 Rule 2 of CPC. This Court on 20.03.2013, directed the present CRP to be posted along with CRP.No.6142 of 2012, since the circumstances are same and the point for consideration is also the same.

On 29.04.2015, CRP.No.6142 of 2012 was dismissed. I have perused the order in CRP.No.6142 of 2012 and *prima facie*, this Court is in agreement with the findings recorded in CRP.No.6142 of 2012 and for the same reasons, the instant revision fails and is accordingly dismissed. No order as to costs.

The trial Court is directed to dispose of the suit as expeditiously as possible, preferably within a period of three (03) months from the date of receipt of copy of this order.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Dt: 11.10.2018
dv

