

THE HON'BLE SRI JUSTICE S.V. BHATT
CIVIL REVISION PETITION No.5372 of 2018

ORDER:

The revision petitioner/plaintiff challenges the order dated 08.08.2018 in I.A.No.666 of 2018 in O.S.No.51 of 2012 on the file of Senior Civil Judge, Peddapalli, filed under Order VII Rule 14 (3) of CPC for receiving pahanies for the years 1986-87, 1989-90, 2000-01, 2001-02, 2009-10, certified copy of Section 38-E No.4712/1974 and certified copy of revision petition No.B2/2506/2006.

The suit is for declaration of title and recovery of possession. The revision petitioner sought the leave of the Court for introducing the documents referred to above. The revision petitioner is invoking the jurisdiction of the trial Court and ultimately persuades the trial Court to exercise its discretion in favour of the prayer made by the revision petitioner. The said effort is undertaken by setting out the details as are required for the action.

In the case on hand, the affidavit suffers from too much of brevity and does not advert to why these documents could not be filed along with the plaint etc. The circumstance disclosed on verification is that these documents do not have foundation in the plaint. The receipt of these documents or granting leave was opposed by the defendants. The learned trial Judge, referring to the decisions which have bearing on the point, held that revision petitioner failed to make out case for receiving these documents. The above narration is sufficient to

conclude that without basis in the plaint, effort is made through an affidavit which is suffering from too much of brevity, and therefore the prayer is rightly rejected by the trial Court. No reason is shown warranting interference of this Court under Article 227 of Constitution of India.

The revision fails and is accordingly dismissed. No order as to costs.

Miscellaneous petitions, if any, pending shall stand closed.

20.09.2018
v v



JUSTICE S.V. BHATT