

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND
THE STATE OF ANDHRA PRADESH**

C.R.P.Nos.6396 and 6398 of 2018

Between:

Bhogavilli Varahamma,
W/o.Late Ramachandra Rao,
Aged 68 years,
R/o.D.No.59-6-7,
Nagaralu Street,
Malkapuram,
Visakhapatnam.

... Petitioner

And

Suvakasi Appalanarasamma,
W/o.Late Venkatramana,
Aged 72 years,
R/o.Chandrampalem,
Visakhapatnam district
and ten others.

... Respondents

JUDGMENT PRONOUNCED ON **02.11.2018**

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

1. Whether Reporters of Local newspapers may be allowed to see the Judgments?
2. Whether the copies of judgment may be marked to Law Reporters/Journals
3. Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment?

(C.V.NAGARJUNA REDDY,J)

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY*+
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Respondents



!Counsel for the Petitioner : Mr. E.Venkata Reddy

Counsel for the Respondents: -----

<Gist :

>Head Note:

?Cases referred:

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

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Counsel for the Petitioner : Mr. E.Venkata Reddy

Counsel for the Respondents: ----

The Court made the following:

Common Order:

These two civil revision petitions arise out of separate orders in I.A.Nos.171 of 2018 and 172 of 2018 in O.S.No.496 of 2002 on the file of the IV Additional Senior Civil Judge (FTC), Visakhapatnam.

2. The pace at which this case is being conducted in the lower court, reminds me of proverbial snail. The suit is of the year 2002. After closure of the evidence on plaintiff's side, the chief affidavits of DW1 and DW2 were filed on 16.11.2010 and 26.11.2010 respectively. Evidently, the petitioner's counsel was not prepared to cross-examine the said witnesses and as a result, their cross-examination was noted as nil. On filing of I.A.No.75 of 2016 by the plaintiffs, the court below passed order dated 09.12.2016, permitting cross-examination of DWs.1 and 2. Accordingly, the cross-examination of DW-1 was completed on 05.02.2016 and that of DW-2 was completed on 02.04.2018. Thereafter, defendants No.4 and 5 filed I.A.No.16 of 2018, to transpose them as plaintiffs No.8 and 9. The said I.A. was allowed on 22.02.2018. The petitioner is none other than plaintiff No.8. But, for the reasons best known to her, she did not choose to cross-examine DWs.1 and 2, before or after her transposition. As the parties were not co-operating with the court, it was left with no other option, but to treat the arguments as heard and reserved the judgment. It is at this stage, that the petitioner has filed the aforementioned I.As., leisurely for re-opening the evidence to cross-

examine DW1 and 2 and to permit her to cross-examine the said witnesses.

3. The facts noted above would show that the lackadaisical approach of the parties is evidently leaving the court in a state of frustration. Though the suit is of the year 2002, no sense of urgency is being shown by the parties to get it disposed of. On the contrary, the I.As. such as the one filed by the petitioner, have the effect of further delaying the said proceedings. A person who has displayed laxity in pursuing his cause, is not entitled to the aid of the courts. At a time when people are crying hoarse that cases are pending for years on end, the lackluster approach of the litigants like the petitioner, is bringing disrepute to the judicial system.

4. In the light of the above discussion, I do not find any merits in these civil revision petitions and the same are, accordingly, dismissed.

5. As a sequel to the disposal of the civil revision petitions, I.A.No.1 of 2018 in C.R.P.No.6396 of 2018 and I.A.No.1 of 2018 in C.R.P.No.6398 of 2018, stand disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Date: 02nd November, 2018

Note:

L.R. copies

(B/o.)

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