

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

CIVIL REVISION PETITION No.6578 OF 2018

DATED :16.11.2018

Between :

Gadde Dharma Rao S/o.Veerraju,
Aged 55 yrs, R/o.Timmapuram Village,
Dwaraka Tirumala Mandal,
West Godavari District.

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Petitioner

And

Davuluri Hanumantha Rao S/o.Venkatappayya,
Aged 42 yrs, Occu : Cultivation,
R/o.Agraharam, Eluru City,
West Godavari District.

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Respondent



This court made the following :

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ORDER :

Heard.

2. Petitioner is the defendant in O.S.No.16 of 2015 pending on the file of VII Additional District Judge, West Godavari at Eluru. He filed I.A.No.346 of 2018 praying to recall Pw.1 for further cross-examination. The said I.A., was contested. On consideration of respective contentions, the trial Court declined to accept the plea of the petitioner for recalling of Pw.1.

3. From the order of the trial Court, it is seen that petitioner/defendant cross examined the respondent/plaintiff as Pw.1 at length, touching each and every aspect relating to his financial capacity in clear and categorical terms and concluded the cross-examination. Thereafter examination of Pws.2 and 3 was also completed. At that stage, this application is filed. The trial Court noticed that there was extensive cross-examination and no reasons are assigned by the petitioner why he wanted to further examine Pw.1.

4. On going through the affidavit filed in support of the I.A., also it is seen that no reasons are assigned as to why at this stage, the defendant intended to further cross-examine the plaintiff (Pw.1). Thus, I do not see any error in the decision arrived at by the trial Court, warranting interference by this Court.

5. Accordingly, the Civil Revision Petition is dismissed.

Pending miscellaneous petitions shall stand closed.

16th November, 2018
Rds

P.NAVEEN RAO,J

