

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

C.R.P.No.6603 of 2018

Date:09.11.2018

**Between.**

Kota Devaki,  
W/o Late Kota Mahadeva  
and four others.

.....Petitioners

**And.**

G.Savithri (died)  
Gudimetla Venkataramana,  
S/o Late Bhaskar Rao and others

.....Respondents

Counsel for the petitioners: Mrs. M.S.V.S.Sudha Rani



The Court made the following:

ORDER.

This Civil Revision Petition is filed aggrieved by order, dated 27.6.2018, in I.A.No.512 of 2018 in O.S.No.785 of 2008 on the file of the VI Additional Senior Civil Judge, Visakhapatnam.

Though I find force in the submission of Mrs. M.S.V.S.Sudha Rani, learned counsel for the petitioners, that the lower Court has proceeded on the wrong premise that the afore-mentioned I.A. was filed under Order-IX Rule-9 CPC, however, it is evident from the order of the lower Court that it has also examined the said I.A. from the perspective of Order-VII Rule-11 C.P.C. and held that the petitioners failed to make out any case for rejection of **plaint.**

Under Order-VII Rule-11 C.P.C., **plaint** can be rejected if it falls in any one of the Clauses-(a) to (f).

During the hearing, learned counsel for the petitioners fairly admitted that the grounds on which her clients have sought for rejection of the **plaint** do not fall in any one of the Clauses-(a) to (f) of Order-VII Rule-11 C.P.C.

In the above view of the matter, I do not find any merit in the Civil Revision Petition and the same is, accordingly, dismissed.

As a sequel to dismissal of the Civil Revision Petition, I.A.No.1  
of 2018 filed for interim relief shall stand dismissed as infructuous.

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*JUSTICE C.V.NAGARJUNA REDDY*

*09<sup>th</sup> November, 2018*

*DR*

