

**THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY**

**CIVIL REVISION PETITION No.6204 OF 2017**

**ORDER:**

This Civil Revision Petition is filed under Article 227 of the Constitution of India assailing the order dated 07.10.2017 passed in I.A.No.614 of 2017 in O.S.No.112 of 2011 on the file of IV Additional District Court, Tirupati.

2. Heard the learned counsel for both parties.

3. The point that arises for consideration is:

*“Whether there is any illegality, irregularity or impropriety in the impugned order?”*

4. A perusal of the record reveals that the petitioners filed O.S.No.112 of 2011 on the file of IV Additional District Court, Tirupati, against the respondents seeking for declaration and consequential perpetual injunction. When the matter is coming up for respondents/defendant's side evidence, the petitioners filed I.A.No.614 of 2017 to recall PW.1 for the purpose of marking of the documents. The trial Court, after affording a reasonable opportunity to both parties, dismissed the petition. Hence, the revision.

5. Today this Court allowed C.R.P.No.6218 of 2017 filed by the petitioners to receive the documents.

6. In view of allowing of C.R.P.No.6218 of 2017, no detailed order is necessary in this revision.

7. Taking into consideration the facts and circumstances of the case, this Court is of the considered view that it is a fit case to set aside the impugned order.

8. In the result, the Civil Revision Petition is allowed, setting aside the order dated 07.10.2017 passed in I.A.No.614 of 2017 in O.S.No.112 of 2011 on the file of IV Additional District Court, Tirupati. Consequently, I.A.No.614 of 2017 is allowed recalling PW.1 for the purpose of marking of the documents. There shall be no order as to costs.

9. Consequently, Miscellaneous Petitions, if any, pending in this Civil Revision Petition shall stand closed.

Date: 24.12.2018  
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**T.SUNIL CHOWDARY, J**

