

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

CIVIL REVISION PETITION NO.5571 OF 2017

DATED:29-03-2018

Between:

Bathina Loknatha Rao

... Petitioner

And

Manda Sathi Reddy, Represented by

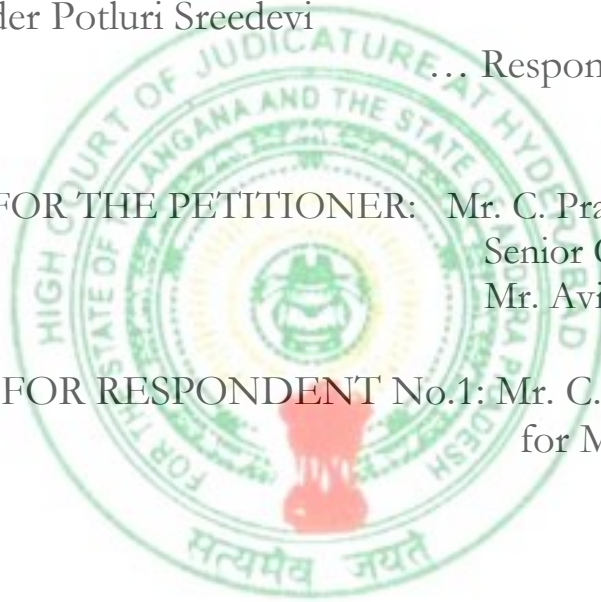
GPA Holder Potluri Sreedevi

and others

... Respondents

COUNSEL FOR THE PETITIONER: Mr. C. Prakash Reddy,
Senior Counsel, for
Mr. Avinash Desai

COUNSEL FOR RESPONDENT No.1: Mr. C. Subba Rao,
for Mr. A.S.C. Bose



THE COURT MADE THE FOLLOWING:

ORDER:

This civil revision petition arises out of order dt.10.07.2017 in I.A. No.873 of 2015 in O.S. No.797 of 2014 on the file of the VII Additional District Judge, Visakhapatnam.

After hearing Mr. D. Prakash Reddy, learned Senior Counsel appearing for the appellant, and Mr. Challa Subba Rao, learned counsel appearing for respondent No.1, we do not find any jurisdictional error in the order of the lower Court dismissing I.A. No.873 of 2015 filed for return of the plaint on the ground that it does not disclose the cause of action. Therefore, the civil revision petition is dismissed, however, with the observation that the findings, if any, touching upon the merits of the case shall not have any bearing on the adjudication of the suit on merits.

The learned Senior Counsel for the appellant requested for a direction to the lower Court to dispose of the suit early. I am, however, conscious of the fact that the suit is of the year 2014 and the Courts below were directed to give priority to the cases upto 2013. Therefore, I am not inclined to issue a peremptory direction to the lower Court to dispose of the suit early. However, it may explore the possibility of expeditious disposal of the suit without violating the existing circulars.

As a sequel to dismissal of the civil revision petition,
C.R.P.M.P. No.7223 of 2017 shall stand disposed of as
infructuous.

C.V. NAGARJUNA REDDY, J

29-03-2018

bnr

