

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CIVIL REVISION PETITION No.5936 OF 2017

ORDER:

This Civil Revision Petition is filed under Article 227 of the Constitution of India challenging the order dated 16.10.2017 passed in I.A.No.653 of 2017 in H.M.O.P.No.97 of 2015 on the file of the Court of the Principal Senior Civil Judge at Machilipatnam.

2. Heard the learned counsel for both parties.

3. The respondent herein filed I.A.No.653 of 2017 in H.M.O.P.No.97 of 2015 to issue summons to the concerned authorities to prove certain aspects. The trial Court allowed the said petition. Hence, the present revision petition is filed.

4. The learned counsel for the petitioner submitted that during pendency of the revision, the petitioner filed an affidavit before the trial Court stating that at the time of filing of H.M.O.P.No.97 of 2015, she was working as a Teacher in a Government School at Gudivada.

5. The learned counsel for the respondent admitted the said fact.

6. In view of the affidavit filed by the petitioner, this Court is not inclined to express any opinion touching the merits of the main case.

7. Having regard to the facts and circumstances of the case and also the submissions made by the learned counsel for both parties, the Civil Revision Petition is allowed setting aside the order dated

16.10.2017 passed in I.A.No.653 of 2017 in H.M.O.P.No.97 of 2015 on the file of the Court of the Principal Senior Civil Judge at Machilipatnam. Consequently, I.A.No.653 of 2017 stands dismissed. There shall be no order as to costs.

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

T.SUNIL CHOWDARY, J

Date: 12.06.2018
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