

HON' BLE SRI JUSTICE C.PRAVEEN KUMAR

CIVIL REVISION PETITION No. 6569 of 2017

ORDER:

The present application came to be filed under Article 227 of the Constitution of India questioning the order dated 15.09.2017 passed in I.A.No. 347 of 2017 in O.S.No. 71 of 2013, on the file of the Junior Civil Judge, Anaparthi, East Godavari district, wherein the application filed by the petitioner for appointment of advocate commissioner to record the cross-examination of the petitioner/ plaintiff herein, was dismissed.

2. The learned counsel for the petitioner mainly submits that the petitioner is aged about 72 years and she cannot move from the house, and as such, the order under challenge, rejecting her request for appointment of advocate commissioner to record her cross-examination, is incorrect.

3. A perusal of the impugned order would show that though the petitioner herein claims that she is not in a position to come to court for cross-examination, no separate document has been filed to show as to why she is not in a position to come to court for cross-examination. In the absence of any documentary evidence to show the reason for not attending the court to subject herself for cross-examination, the trial court rejected the request of the petitioner.

4. In the absence of any material being placed before this court to show the reason as to why the petitioner is not able to attend to court, I see no illegality in the order passed in I.A.No. 347 of 2017 in O.S.No. 71 of 2013.

5. Accordingly, this C.R.P is dismissed. However, the petitioner is at liberty to avail the remedies, if any, available under law. Miscellaneous petitions pending, if any, shall stand closed. No costs.

JUSTICE C. PRAVEEN KUMAR

19.01.2018
DMG

