

HON' BLE SRI JUSTICE C.PRAVEEN KUMAR

CIVIL REVISION PETITION No. 7479 of 2017

ORDER:

The present application came to be filed under Article 227 of the Constitution of India, aggrieved by the order dated 04.12.2017 passed in I.A.No. 357 of 2017 in O.S.No. 86 of 2012, on the file of the Court of the Junior Civil Judge, Kothapeta, wherein the application filed by the respondent herein under Order 6 Rule 17 and Section 151 of C.P.C. for amending the name of the 3rd petitioner herein in the cause titles of the plaint, as Bangaru Satyavathi instead of Bangaru Naga Satyavathi, was allowed.

2. The learned counsel for the petitioners mainly contends that the court below, while observing that the respondent committed gross negligence in respect of the change of the name of the 3rd petitioner, allowed the petition filed by the respondent, and the same is unsustainable under law, as the procedure contemplated under C.P.C has not been followed. Challenging the same, the present C.R.P came to be filed.

3. It is, no doubt, true that there is some slight irregularity in the procedure followed by the trial court in getting the name of the 3rd petitioner corrected in the cause title. But, keeping in view the observations made by the trial court, that one more opportunity has to be given to the respondent, only to curb the delay in

disposing of the matter, and also having regard to the fact that the counsel for the petitioners also admits the name of the 3rd petitioner in the cause title in the C.R.P as Bangaru Naga Satyavathi, the order passed in the I.A. does not warrant any interference.

4. Accordingly, C.R.P is rejected. Miscellaneous petitions pending, if any, shall stand closed. No costs.

05.01.2018
DMG



JUSTICE C. PRAVEEN KUMAR