

HON'BLE SRI JUSTICE M.S. RAMACHANDRA RAO

CIVIL REVISION PETITION No.817 of 2019

ORDER:

This Civil Revision Petition is filed under Article 227 of the Constitution of India stating that the Court below has not decided I.A.No.310 of 2018 in O.S.No.180 of 2008 on its file and, while keeping it pending, has decided the applications filed (i) to re-open the evidence of the plaintiffs; and (ii) to recall PW.1; which it ought not to have done.

Though learned counsel for the respondent sought to contend that the action of the Court below as proper, I am unable to agree with the said submission. The Court below was duty bound to decide the application for receiving the documents i.e., I.A.No.310 of 2018 before it has decided the other applications in I.A.Nos.307 and 308 of 2018 to re-open the evidence of the plaintiffs and to recall PW.1, respectively.

Therefore, this Civil Revision Petition is disposed of directing the learned Principal Junior Civil Judge, Gadwal, to hear both sides and decide I.A.No.310 of 2018 in O.S.No.180 of 2008 pending on its file within a period of four (4) weeks from the date of receipt of a copy of this order without fail. No order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

M.S. RAMACHANDRA RAO, J

04.04.2019.

NOTE: Registry to communicate
this order within week.
(B/O)Msr

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Msr