

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION No.1546 of 2019

ORDER:

The revision, under Article 227 of the Constitution of India, is filed by the petitioners/defendants aggrieved by the order dated 05.12.2018 in I.A.No.458 of 2018 in O.S.No.66 of 2009 on the file of the Principal Junior Civil Judge, Kalvakurthy, whereby the application filed by the revision petitioners/defendants to direct the respondents/plaintiffs to produce the documents, i.e., sale deed and relinquishment deed, was dismissed.

Heard learned counsel for the petitioners and perused the record.

Learned counsel for the revision petitioners would submit that though the documents are in possession of the respondents/plaintiffs, the Court below did not direct the respondents/plaintiffs to produce those documents. Therefore, the impugned order is erroneous and ultimately prayed to set aside the same.

It is pertinent to state that the Court below having examined the whole contentions was pleased to dismiss the application. There is no reference to the so-called sale deed in the written statement and there is no mention that the respondents/plaintiffs are in possession of such document. Further, the petitioners/defendants are relying upon the relinquishment deed and it is already marked as Ex.B15. Further, the proceedings dated 01.02.2006 of the Tahsildar is also marked as Ex.A17. Since those documents are exhibited through P.W.1, no direction can be given to them to produce the documents as contended by the revision

petitioners. The Civil Revision Petition is devoid of merit and is liable to be dismissed.

Accordingly, the Civil Revision Petition is dismissed.

Miscellaneous Petitions pending, if any, shall stand closed.

There shall be no order as to costs.

Dr. SHAMEEM AKTHER, J

Date: 30.08.2019
ssp

