

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION No.1881 OF 2019

ORDER:

This revision, under Article 227 of the Constitution of India, is filed by the petitioners/defendants aggrieved by the order dated 25.04.2019 passed in I.A.No.304 of 2019 in O.S.No.204 of 2018 by the learned VIII Additional District Judge, Ranga Reddy District at L.B. Nagar, whereby, the application filed by the respondents/plaintiffs, to withdraw the suit with a liberty to file a fresh comprehensive suit, was allowed.

2. Heard learned counsel for the revision petitioners/defendants and perused the record.

3. Learned counsel for the revision petitioners would submit that though the plaintiffs have not stated a single reason, the Court below allowed the Interlocutory Application filed under Order XXIII Rule 1 of CPC. Hence, he prayed to allow the civil revision petition by setting aside the impugned order.

4. A perusal of the impugned order reveals that the contentions raised by both sides were addressed by way of a detailed order. In the affidavit filed in support of I.A.No.304 of 2019, it is stated that the plaint was ill-drafted and they want to file a comprehensive suit for declaration of title and recovery of possession and also damages. The plaintiffs have assigned several reasons in the said affidavit. The Court below, having appreciated the facts and circumstances of the case, rightly allowed the said application. There is nothing to take a different

view. This revision petition is devoid of merit and is liable to be dismissed.

5. In the result, the Civil Revision Petition is dismissed.

The Miscellaneous Petitions, if any, pending shall stand closed. There shall be no order as to costs.

Dr. SHAMEEM AKTHER, J

Date: 06.12.2019
ssp

