

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION No.2192 OF 2019

ORDER:

This revision, under Article 227 of the Constitution of India, is filed by the petitioner/defendant No.1 aggrieved by the order dated 06.08.2019 passed in I.A.No.944 of 2019 in O.S.No.2549 of 2008 by the VI Junior Civil Judge, City Civil Court, Hyderabad, whereunder the application filed seeking a direction to the plaintiff to produce the sanction plan and house permission in respect of the subject premises, was dismissed.

2. Heard the learned counsel for the revision petitioner and perused the record.

3. Learned counsel for the revision petitioner would submit that the Court below dismissed the impugned application on the premise that the details with regard to date of issue of the proposed documents were not given by the revision petitioner/defendant No.1, but the said documents are necessary to the revision petitioner to prove his case and ultimately, prayed to set aside the impugned order.

4. It is evident from the record that the respondent No.1/plaintiff had stated in the counter filed in the impugned application that those documents are old and misplaced. Therefore, they are not traced out and he is unable to produce the same. Since the proposed documents sought by the revision petitioner are not available with the respondent No.1/plaintiff, the petitioner cannot compel the respondent No.1 to produce those documents. The petition is devoid of merit and is liable to be dismissed.

5. In the result, the Civil Revision Petition is dismissed at the admission stage. There shall be no order as to costs.

The Miscellaneous Petitions, if any, pending shall stand closed.

Dr. SHAMEEM AKTHER, J

Date: 23.09.2019
ssp

