

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION No.2220 OF 2019

ORDER:

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed aggrieved by the order and decree, dated 29.08.2019, in I.A.No.315 of 2019 in O.S.No.158 of 2013 passed by the learned Senior Civil Judge, Kamareddy, whereunder the application filed under Section 151 of the Code of Civil Procedure, 1908, to reopen the evidence of respondents herein/plaintiffs was allowed on payment of costs of Rs.500/- to the petitioner herein/defendant.

2. Heard the learned counsel for the petitioner, the learned counsel for the respondents and perused the record.

3. Learned counsel for the petitioner would submit that the Court below ought not have provided an opportunity to the respondents/plaintiffs to lead further evidence at a belated stage after closure of evidence of petitioner and ultimately prayed to set aside the impugned order.

4. On the other hand, learned counsel for the respondents would submit that the Court below had rightly allowed the application filed by the respondents/plaintiffs and there are no grounds to set aside the same.

5. Since the respondents/plaintiffs gave sufficient reasons for not adducing further evidence due to death of their earlier counsel on record, the Court below is justified in passing the

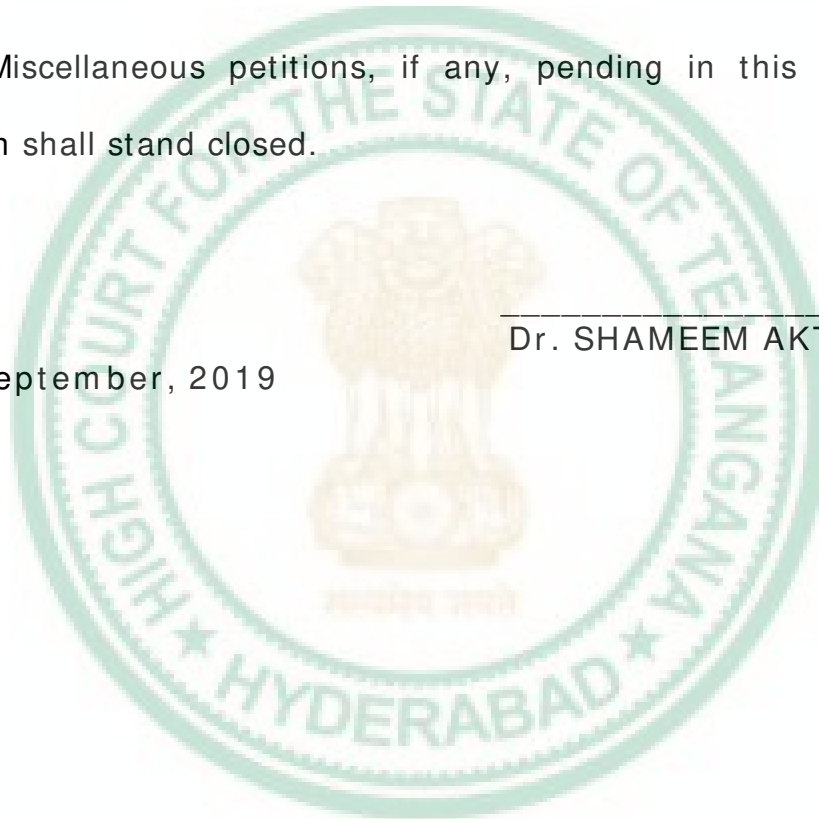
impugned order by assigning valid reasons. The Court below had rightly exercised the jurisdiction vested therein. There is no illegality or infirmity in the order under challenge. Therefore, the Civil Revision Petition is devoid of merit and the same is liable to be dismissed.

6. Accordingly, the Civil Revision Petition is dismissed at the admission stage. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this revision petition shall stand closed.

26th September, 2019
YVL

Dr. SHAMEEM AKTHER, J



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Date:26.09.2019

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