

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

C.R.P.Nos.2993 and 2995 of 2019

COMMON ORDER:

Heard the learned counsel for the petitioner.

2. Since both these Revision Petitions arose out of the same order and the parties are also one and the same, they are being heard together and disposed of by this common order.

3. C.R.P.No.2993 of 2019 is filed against the order dt.18-07-2019 in I.A.No.119 of 2019 in O.S.No.67 of 2012 which is filed to reopen the evidence of defendants and C.R.P.No.2995 of 2019 is filed against the order dt.18-07-2019 in I.A.No.118 of 2019 in O.S.No.67 of 2012 which is filed to recall D.W.1 for cross examination.

4. By the impugned orders, the trial Court has dismissed both the applications on the ground that the petitioner has failed to produce evidence in support of her contention that she is suffering from ill-health and also failed to explain the reasons to delay in cross examining D.W.1 and for filing these application within a period of limitation.

5. As seen from the record, it is clear that the petitioner is an old widow of 75 years and even according to her statement, her son is a patient not keeping good health. Further, the learned counsel for the petitioner, on instructions, submits that the petitioner would proceed

with for complying with the formalities in completing the evidence of the defendant within two months from today.

6. In view of the same, this Court feels that the matter can be considered by giving one more opportunity to the petitioner.

7. Accordingly, both the Revision Petitions are allowed setting aside the impugned orders dt.18-07-2019 in I.A.Nos.118 and 119 of 2019 in O.S.No.67 of 2012. The petitioner is directed to complete the evidence within four weeks from the date of receipt of a copy of this order, failing which, the order passed by this Court stands automatically vacated and consequently, the Revision Petitions shall stand dismissed. No costs.

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

JUSTICE T.AMARNATH GOUD

Date: 16-12-2019
kvr