

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION No.2591 OF 2019

ORDER:

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed by the petitioner/wife aggrieved by the docket order dated 15.10.2019 passed in O.P.No.65 of 2018 by the Senior Civil Judge, at Nagarkurnool.

2. Heard the learned counsel for the petitioner/wife and perused the record.

3. Learned counsel for the petitioner/wife would submit that the petitioner filed I.A.No.204 of 2019 in O.P.No.65 of 2018, under Section 24 of the Hindu Marriage Act, seeking maintenance and the same is pending. The Court below without determining the said application, erroneously passed the impugned docket order and ultimately prayed to set aside the same and allow the revision petition as prayed for.

4. It is appropriate to extract the impugned docket order dated 15.10.2019, which reads as follows:

“Petitioner present. Respondent called absent. Counter not filed despite condition. Hence respondent is set ex parte. For petitioner’s evidence, call on 12.11.2019.”

5. The grievance of the petitioner/wife is that without determining the I.A.No.204 of 2019 filed by her, the Court below passed the impugned docket order. Since the impugned docket order passed by the Court below is *ex parte*, the petitioner has

to invoke appropriate remedies by moving an application before the Court below seeking necessary relief.

6. With the above observation, the Civil Revision petition is disposed of. No order as to costs.

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

Dr. SHAMEEM AKTHER, J

Date: 07.11.2019

Grk

