

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION No.2623 OF 2019

ORDER:

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed aggrieved by the order, dated 17.06.2019, passed in I.A No.788 of 2017 in O.S.No.229 of 2015 by the Senior Civil Judge, Medchal, Ranga Reddy District.

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

3. Learned counsel for the revision petitioner would submit that an application to set aside the *ex parte* decree, dated 02.06.2017, with a delay of 144 days was allowed by the Court below without assigning any reason and hence, he prays to set aside the impugned order.

4. As per the material placed on record, the Court below while dealing with the aforesaid application, has observed that the merits and demerits with regard to setting aside the *ex parte* decree can be put forth in an application filed under Order IX Rule 13 C.P.C. It is also relevant to state that the Court need not go into two technicalities. The very object of the procedure is to render substantial justice. The Court below allowed the said application on payment of costs of Rs.5,000/-. This Court does not find any illegality or perversity in the impugned order passed by the Court below. Hence, the Civil Revision Petition is devoid of merit and the same is liable to be dismissed.

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

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

Dr. SHAMEEM AKTHER, J

11th November, 2019

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Date:11.11.2019

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