

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Civil Revision Petition No.2696 of 2019

ORDER:

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed by the revision petitioners/plaintiffs, aggrieved by the order, dated 12.12.2018, passed in I.A.No.507 of 2018 in O.S.No.79 of 2011, by the Junior Civil Judge, Wanaparthi, whereby, the petition filed by the respondents herein/defendants under Order VIII Rule 1A(3) read with Section 151 CPC, seeking to receive certain documents filed along with the petition, was allowed by the Court below, subject to admissibility, proof and relevancy, on payment of costs of Rs.1000/- by the respondents herein/defendants to the revision petitioners/plaintiffs and to complete their evidence on the next date of adjournment.

2. Heard the learned counsel for the revision petitioners/plaintiffs and perused the record.

3. Learned counsel for the revision petitioners/plaintiffs would contend that there is no sufficient cause to receive the subject documents belatedly. The Court below erroneously allowed the subject interlocutory application and ultimately prayed set aside the impugned order by allowing the revision.

4. As seen from the material placed on record, the respondents herein/defendants had filed the subject interlocutory application, to receive certain documents filed along with the petition, stating that they could not obtain those documents from the revenue department earlier. The admissibility and relevancy of those documents will be

determined after due trial of the subject suit. No prejudice would be caused in receiving the subject documents. The Court below is justified in passing the impugned order. There is no illegality or perversity in the order under challenge. The civil revision petition is devoid of merits and is liable to be dismissed.

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

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

27th November, 2019
Vvr

Dr. SHAMEEM AKTHER, J

