

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION Nos.2694 AND 2699 OF 2019

COMMON ORDER:

Since the parties and the subject suit in both these civil revision petitions are one and the same, they are being heard and disposed of together.

2. These Civil Revision Petitions, under Article 227 of the Constitution of India, are filed by the petitioner/defendant, aggrieved by the orders, dated 31.10.2019, passed in I.A.No.566 of 2019 in O.S.No.64 of 2013 and I.A.No.567 of 2019 in O.S.No.64 of 2013 by the learned V Additional District Judge, Kothagudem, respectively, whereby, the applications filed by the revision petitioner/defendant, to reopen the suit and recall P.W.1 and P.W.4 for further cross-examination, were dismissed.

3. Heard learned counsel for the revision petitioner/defendant and perused the record.

4. Learned counsel for the revision petitioner/defendant would submit that the petitioner intends to put two questions to P.W.1 and P.W.4, i.e., 1) What were the denominations of the money lent; and 2) Place of withdrawals and ultimately prayed to allow the civil revision petitions by directing the Court below to reopen the suit and to recall P.W.1 and P.W.4 for further cross-examination.

5. In the course of submissions, it is brought to the notice of this Court that as of now, the aforesaid suit is posted for judgment. Much before filing of the subject applications, P.Ws.1 and 4 were examined.

Till the fag end of the suit, the revision petitioner/defendant did not bother to file applications to reopen the suit and to recall the said witnesses.

6. The suit is of the year 2013. From a perusal of the record, this Court is of the opinion that the aforesaid questions will not influence the result of the suit. The subject applications were filed to protract the proceedings in the suit. The Court below is justified in passing the impugned orders. There is no perversity to interfere with the impugned orders. The revision petitions are devoid of merit and are liable to be dismissed.

7. In the result, the Civil Revision Petitions are dismissed at the stage of admission.

Miscellaneous petitions, if any, pending in these Civil Revision Petitions, shall stand closed. There shall be no order as to costs.

Dr. SHAMEEM AKTHER, J

Date: 19.11.2019
ssp