

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Civil Revision Petition No.2760 of 2019

ORDER:

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed by the petitioner/plaintiff, challenging the docket order, dated 13.11.2019, passed in I.A.(SR) No.2485 of 2019 in O.S.No.127 of 2013, by the Family Court-cum-Additional District Judge, wherein, the subject Interlocutory Application filed under Order XII Rule 6 read with Section 64 of CPC requesting to decree the suit in favour of the revision petitioner/plaintiff declaring him as owner and possessor of the suit schedule property and to declare the cancellation of the registered sale deed bearing Document No.2814 of 2003 in favour of respondent Nos.3 and 4/defendant Nos.3 and 4 and to declare that the registered sale deeds bearing Document Nos.2844 of 2003 and 148 of 2008 are not binding on the petitioner/plaintiff and further to restrain all the respondents/defendants from interfering with the possession of the petitioner/plaintiff over the suit schedule property by granting perpetual injunction, was returned.

2. Heard both sides and perused the record.

3. On perusal of the impugned order, dated 13.11.2019, passed in I.A.(SR) No.2485 of 2019 in O.S.No.127 of 2013 shows that the said I.A.(SR) was returned by the Court below with the observation "*Previous objections not complied. Hence petition may be returned*".

4. Under these circumstances, the revision petitioner/plaintiff is directed to resubmit the subject I.A.(SR) No.2485 of 2019 in O.S.No.127 of 2013 to the Court below and on such resubmission, the Court below is directed to call the same on bench and determine its maintainability.

5. With the above direction, the Civil Revision Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Civil Revision Petition, shall stand dismissed.

20th December, 2019
vvr

Dr. SHAMEEM AKTHER, J

