

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION No.2826 OF 2019

ORDER:

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed by the petitioner/plaintiff, challenging the order, dated 24.09.2019, passed in I.A.No.493 of 2019 in O.S.No.1962 of 2017 by the VIII Additional Senior Civil Judge, Ranga Reddy District at L.B. Nagar, whereby the petition filed by the respondent/defendant to set aside the *ex parte* order, dated 01.05.2018 was allowed.

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

3. Learned counsel for the petitioner/plaintiff would submit that the subject Interlocutory Application was filed with a delay of one year, without filing an application under Section 5 of the Limitation Act, 1963.

4. In the circumstances, it is relevant to state that the Court below while dealing with the subject Interlocutory Application held that the requisite condition to set aside an *ex parte* order was 'sufficient cause'. It also held that there was sufficient cause to set aside the *ex parte* order, dated 01.05.2018. The impugned order is in tune with Order IX Rule 7 C.P.C. No interference is warranted.

5. Hence, 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 Civil Revision Petition shall stand closed.

Dr. SHAMEEM AKTHER, J

December 02, 2019.
MD

