

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

Civil Revision Petition No.6903 of 2018

ORDER :

This Civil Revision Petition is filed under Article 227 of the Constitution challenging the order dt.27.10.2018 passed in I.A.No.1077 of 2018 in O.P.No.151 of 2015 on the file of the Judge, Family Court, at Secunderabad permitting to re-call R.W.1 for further cross-examination on an application made by respondent.

2. The counsel for petitioner contended that much cross-examination of petitioner had already been done running into several pages, and further cross-examination of petitioner by respondent's counsel would amount to harassing of petitioner.

3. In the affidavit filed in support of the application I.A.No.1077 of 2018, it is the contention of respondent that some aspects relating to claim for divorce and permanent alimony, custody and visitation rights of minor child were not put to the witness R.W.1 by the counsel for respondent by oversight.

4. The Court below observed that on payment of costs of Rs.5,000/- by the respondent to petitioner, the application was liable to be allowed, since no prejudice would be caused even if R.W.1 is re-called.

5. This being discretionary order of the Court below, and since claims for divorce / restoration of conjugal rights / custody are

involved in three O.P.s, viz., O.P.No.151 of 2015, O.P.No.269 of 2015 and O.P.No.9 of 2016, filed by the parties against each other, I do not find any error of jurisdiction in the order passed by the Court below warranting interference by this Court in exercise of its jurisdiction under Article 227 of the Constitution of India.

6. Accordingly, the Civil Revision Petition fails, and it is dismissed. No order as to costs.

7. As a sequel, miscellaneous petitions pending if any in this Civil Revision Petition, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 08.04.2019

Ndr/*

