

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

CRP.No.s 338 and 373 of 2020

COMMON ORDER:

1. These two Revisions are filed under Article 227 of the Constitution of India challenging the Common Order dt.24.01.2020 in I.A.No.s 1425 and 1426 of 2019 in OS.No.176 of 2010 of the XXVII Additional Chief Judge, City Civil Court at Hyderabad refusing to permit the petitioners, who are defendants 1 to 5, to re-call PW.s 2 & 3 for further cross-examination.

2. In the affidavits filed in support of these applications it is the case of the petitioners that the matter was posted to 18.12.2019 for commencing arguments on behalf of the respondents/plaintiffs, that some more material facts have to be ascertained from PW2 and therefore, he should be recalled and the petitioner should be permitted to cross-examine him and also PW.3

3. As rightly held by the Court below the power under Order XVIII Rule 17 CPC is not intended to use routinely for mere asking as held in ***K.K.Veluswamy v. N.Palanisamy***¹.

4. The evidence on record, as noted by the Court below, shows that the evidence on the plaintiffs' side was closed long back and the evidence on the side of the defendants was also closed and nothing is mentioned in the affidavit filed in support of the

¹ 2011(11) SCC 275

applications to make out a case that the applications were filed *bonafidely*.

5. I therefore do not find any merit in these Civil Revisions Petitions and they are accordingly dismissed. No order as to costs.

6. Consequently, miscellaneous petitions pending if any shall stand dismissed.

M.S. RAMACHANDRA RAO, J

14th February, 2020.

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