

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Civil Revision Petition No.413 of 2019

ORDER:

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed by the revision petitioner/defendant No.1, challenging the order, dated 26.11.2018, passed in I.A.No.459 of 2018 in I.A.No.1196 of 2017 in O.S.No.223 of 2017 by the Principal Junior Civil Judge, Huzurabad, whereby, the subject interlocutory application filed by the revision petitioner/defendant No.1 along with other defendants requesting the Court below to appoint the Assistant Director, Land Survey and Settlement, Karimnagar, to demarcate the entire Survey No.74 and its bits, including the suit schedule property, situated at Arkandla village shivar, Shankarapatnam Mandal of Karimnagar District, was dismissed.

2. Heard the learned counsel for both the sides and perused the record.

3. In the course of submissions, the learned counsel for the respondent No.1 herein/plaintiff submitted that the respondent No.1 herein/plaintiff has no objection to measure the land belonging to the revision petitioner/defendant No.1 in another suit in O.S.No.160 of 2010 on the file of the Court below filed by the revision petitioner/defendant No.1 and others. The learned counsel for the revision petitioner/defendant No.1 had fairly conceded to the same and submitted that the revision petitioner herein/defendant No.1 intends to file an application for

appointment of advocate commissioner to record the physical features of the suit schedule land in O.S.No.160 of 2010 on the file of the Court below. As far as measuring the suit land in the subject O.S.No.223 of 2017 on the file of the Court below is concerned, since both the parties are claiming land in Survey No.74 situated at Arkandla village shivar, Shankarapatnam Mandal of Karimnagar District, it is not necessary to appoint an advocate commissioner in the subject suit in O.S.No.223 of 2017 for determination of the issues therein.

4. With the above observation, this Civil Revision Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this CRP, shall stand closed.

02nd March, 2020
Bvv

Dr. SHAMEEM AKTHER, J