

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION No.1706 of 2018

ORDER:

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed by the petitioner/defendant No.1, challenging the intermediary order, dated 18.01.2018, passed in O.S.No.702 of 2011 by the III Additional Chief Judge, City Civil Court, Hyderabad, whereby, the respondent No.1 herein/plaintiff was directed to pay the stamp duty and penalty of a sum of Rs.6,14,790/- on or before 23.01.2018.

2. Heard the learned counsel for the revision petitioner/defendant No.1 and perused the record. In spite of service of notice on the respondent No.1/plaintiff and listing this matter under the caption "For Orders", there is no representation for the respondent No.1/plaintiff.

3. It has been contended on behalf of the revision petitioner/defendant No.1 that the impugned intermediary order, dated 18.01.2018, was passed by the Court below without assigning reasons and hence, the same is liable to be set aside.

4. A perusal of the impugned intermediary order, dated 18.01.2018, passed in the subject suit in O.S.No.702 of 2011 reveals that the Court below, relying on the office note, dated 08.01.2018, passed the impugned intermediary order, without assigning any reasons. Under these circumstances, the

impugned intermediary order, dated 18.01.2018, is liable to be set aside.

5. Accordingly, the impugned intermediary order, dated 18.01.2018, passed in O.S.No.702 of 2011 by the III Additional Chief Judge, City Civil Court, Hyderabad, is set aside. The Court below is directed to pass appropriate order afresh assigning reasons and in accordance with law, after affording opportunity to both sides.

6. 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 closed.

07th January, 2020
Bvv

Dr. SHAMEEM AKTHER, J

