

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION No.629 OF 2015

ORDER:

This revision petition, under Article 227 of the Constitution of India, is filed by the petitioner/defendant No.4 aggrieved by the order dated 10.11.2014 passed in I.A.No.172 of 2014 in O.S.No.7 of 2003 by the Senior Civil Judge, Mahabubabad, whereby the application filed under Section 151 of CPC by the revision petitioner/defendant No.4 seeking permission to file additional written statement was dismissed.

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

3. In the course of submissions, it is brought to the notice of this Court that as defendant Nos.1 to 3 have compromised the subject matter of the suit with the plaintiff, the revision petitioner/defendant No.4 seeks to file additional written statement. Nothing is brought to the notice of this Court by the learned counsel for the revision petitioner/defendant No.4 that the revision petitioner intends to make any additional pleadings in the written statement.

4. The revision petitioner/defendant No.4 adopted the written statement filed by defendant No.1. The defence taken by him still holds the field. In the event of compromise of subject matter by other defendants, that will not effect the merits of the case of the revision petitioner/defendant No.4. The Court below had dismissed the subject Interlocutory Application stating that wrong provision of law is mentioned to seek subject remedy. Since the revision petitioner/defendant No.4 does not want to make any additional pleadings on record, the Civil Revision Petition does not merit consideration.

5. In the result, the Civil Revision Petition is closed.

The Miscellaneous Petitions, if any, pending shall stand closed.

No costs.

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Dr. SHAMEEM AKTHER, J

Date: 07.01.2020

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