

**THE HON'BLE SRI JUSTICE T.AMARNATH GOUD**

**CIVIL REVISION PETITION Nos.3122 AND 3139 OF 2019**

**COMMON ORDER:**

Since both the Civil Revision Petitions arise from a common order, they are being disposed of by this common order.

2. These Civil Revision Petitions are directed against the common order dated 06.12.2019 in I.A.Nos.447 and 448 of 2019 in O.S.No.10 of 2014 on the file of the Court of the VI Additional District Judge, Siddipet (for short, the trial Court).

3. The petitioners herein are defendant Nos.2 and 5, respondent Nos.1 to 4 herein are the plaintiffs and respondent Nos.5 to 11 herein are defendant Nos.1, 7 to 10, 3, 4 and 6 respectively in O.S.No.10 of 2014. During the pendency of the above suit, defendant Nos.2 to 6 filed I.A.No.447 of 2019 under Order XVIII, Rule 17 read with Section 151 CPC to recall DW.4 and permit them to mark some documents mentioned therein and they also filed I.A.No.448 of 2019 under Order XIII Rule 4 read with Section 151 CPC and Section 62 of Indian Evidence Act to mark the said documents. The trial Court, by a common order dated 06.12.2019 dismissed the above IAs on the ground that the documents which create right or extinguish rights in the immovable property needs to be registered under Section 17 of Indian Registration Act and that there is no mention in the petition whether the documents sought to be marked are to be

used for collateral purpose or for the main suit purpose. Aggrieved by the said order, the present CRPs are filed.

4. Heard.

5. The trial Court ought to have marked the documents subject to objection by the other side and later decided the objections if any at the time of disposal of the suit, in accordance with law. If the documents are rejected during the course of trial, the purpose of filing the same would be defeated.

6. Having regard to the facts and circumstances of the case, and on perusal of the records, to meet the ends of justice, this Court is inclined to set aside the impugned order.

7. Therefore, the Civil Revision Petitions are allowed; the common order dated 06.12.2019 in I.A.Nos.447 and 448 of 2019 in O.S.No.10 of 2014 is set aside and they are allowed accordingly. No order as to costs. Miscellaneous Petitions, if any, pending in these Civil Revision Petitions shall stand closed.

**T.AMARNATH GOUD, J**

Date: 30.01.2020  
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