

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION Nos.1286 AND 1288 OF 2017

COMMON ORDER:

Since the subject matter involved in both these Civil Revision Petitions is one and the same, they are being disposed of by this common order.

2. These revisions, under Article 227 of the Constitution of India, are filed by the petitioner/defendant aggrieved by the orders dated 23.06.2016 passed in I.A.Nos.226 and 227 of 2016 in O.S.No.609 of 2014 by the II Senior Civil Judge, City Civil Court, Hyderabad, whereby the applications filed by the petitioner/defendant to reopen and recall the evidence of P.W.1, was dismissed as the conditional order was not complied with.

3. Heard learned counsel for the revision petitioner/defendant, learned counsel for the respondent/plaintiff and perused the record.

4. Learned counsel for the revision petitioner/defendant would submit that the impugned orders passed by the Court below are erroneous and the Court below ought not have dismissed the impugned orders and ultimately prayed to allow the civil revision petitions are prayed for.

5. On the other hand, learned counsel for the respondent/plaintiff would contend that those applications were filed only to protract the litigation. Even till date, the revision petitioner/defendant did not choose to adduce evidence on his behalf and ultimately prayed to dismiss the revision petition.

6. A perusal of the impugned orders reveals that in spite of giving sufficient opportunity to the revision petitioner to cross-examine P.W.1, the revision petitioner did not proceed with the cross-examination. Under these circumstances, there is no infirmity in the impugned orders. The civil revision petitions are devoid of merits and are liable to be dismissed.

7. In the result, the Civil Revision Petitions are dismissed.

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

No costs.

Date: 20.02.2020
ssp

Dr. SHAMEEM AKTHER, J

