

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**FRIDAY, THE NINTH DAY OF JULY
TWO THOUSAND AND TWENTY ONE**

**PRESENT
THE HONOURABLE SRI JUSTICE A.ABHISHEK REDDY**

CIVIL REVISION PETITION NO: 1000 OF 2021

Petition under Article 227 of Constitution of India, aggrieved by the Order dated 08/04/2021 made in IA No.58 of 2021 in OS No.210 of 2014 on the file of the Court of the Senior Civil Judge, at Nagarkurnool.

Between:

Alle Balaswamy,

AND

...PETITIONER/RESPONDENT/PETITIONER

1. Pidikilla Srinu,
2. Ragisetty Chinnaiah,
3. Ragisetty Venkataswamy,
4. Ragisetty Balaswamy,

...RESPONDENTS

IA NO: 1 OF 2021

Petition under Section 151 of CPC praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to grant stay of all further proceedings in O.S.No.210 of 2014 on the file of the Senior Civil Judge, at Nagarkurnool.

For the Petitioner : SRI P.VENKATESWAR RAO, Advocate

For the Respondents : NONE APPEARED

The Court at the stage of admission made the following: ORDER

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

CIVIL REVISION PETITION No.1000 of 2021

ORDER:

The present Civil Revision Petition is filed by the petitioner invoking Article 227 of the Constitution of India aggrieved by the order dated 08.04.2021 passed in I.A. No.58 of 2021 in O.S. No.210 of 2014 by the Senior Civil Judge, Nagarkurnool, whereby the learned Judge dismissed the petition filed by the revision petitioner under Order VI Rule 17 read with Section 151 of the Code of Civil Procedure seeking to amend the plaint by replacing the word 'beside' with 'nearby' in paragraph Nos.1 and 4.

As can be seen from the impugned order, the application made by the petitioner for amending the pleadings in the plaint has been rejected on the ground that the petition was filed at belated stage i.e. after closure of plaintiff's evidence and at the fag end of the defendants' side evidence.

A perusal of the material on record including the impugned order shows that the petitioner has approached the Court with the I.A seeking amendment of the plaint at the fag end of the trial, which cannot be entertained except in rarest of rare cases. In case the amendment sought for by the petitioner is allowed, the very location of the subject matter of the suit will be changed from one place to another.

This Court as well as the Hon'ble Supreme Court in a catena of cases have held that the amendment should be sought for at the earliest point of time. The present petition is filed after a lapse of more than 7 years from the date of institution of the suit. Moreover, as can be seen from the record, on an earlier occasion,

the petitioner has filed an amendment petition and the same was also allowed. But, for the reasons best known to him, he failed to include the present amendment in the earlier petition. The order of the trial Court does not suffer from any infirmity and the same is in accordance with the well established principles of law and the law laid down by this Court and the Hon'ble Supreme Court.

Hence, this Court does not find any reason to interfere with the order passed by the trial Court. The Civil Revision Petition is devoid of merits and the same is accordingly dismissed.

The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

//TRUE COPY//

Sd/-M.MANJULA
ASSISTANT REGISTRAR

SECTION OFFICER

To

1. The Senior Civil Judge, Nagarkurnool, Mahabubnagar District.
2. One CC to Sri P.Venkateswar Rao, Advocate (OPUC)
3. Two CD Copies
4. One Spare Copy

Kj.



HIGH COURT

DATED:09/07/2021



ORDER

CRP.No.1000 of 2021

DISMISSING THE CRP AT THE STAGE OF ADMISSION .

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