

HON'BLE SRI JUSTICE K.SURENDER

CIVIL REVISION PETITION No.1995 OF 2022

ORDER :

1. This Civil Revision Petition is filed by the petitioner/plaintiff aggrieved by the order in I.A.No.536 of 2014 in O.S.No.15 of 2010, dated 01.08.2022, wherein and whereby the application filed under Order VIII Rule 9 r/w 151 CPC seeking to file rejoinder to the written statement filed by the respondents/defendants was dismissed.

2. It is the case of the petitioner that the respondents/defendants written statement was filed on 30.04.2010 and issues were framed on 13.08.2010 and now the suit was posted for evidence of parties.

3. The petitioner filed petition to permit filing of rejoinder in view of certain pleas that were raised by the respondents/defendants in their written statement.

4. In the affidavit filed in support of the petition filed under Order VIII Rule 9 r/w 151 CPC, which is nearly after 12 years after filing of the written statement in the year 2010 by the

respondents/defendants, no reasons are stated for the inordinate delay. Merely stating the fact that the counsel who subsequently came on record suggested filing of the rejoinder, is not a valid ground to permit filing of rejoinder by the petitioner herein.

5. In the said circumstances, there is no illegality or infirmity in the impugned order passed by the trial Court.

6. Accordingly, this Civil Revision Petition is dismissed. There shall be no order as to costs. As a sequel thereto, miscellaneous applications, if any, shall stand dismissed.

Date: 15.09.2022
kvs

K.SURENDER, J

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