

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

MAIN CASE No: C.R.P.No.2035 OF 2021

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
	01.09.2025	<u>SKS, J</u> <u>I.A.No.3 of 2024</u> This Interlocutory Application is filed seeking the Court to review the order dated 26.04.2024 passed in C.R.P.No.2035 of 2021. Heard Smt. Vedula Chitralekha, learned counsel appearing on behalf of the review petitioners as well as Sri K. Ramachandra, learned counsel appearing on behalf of the respondent. Learned counsel for the review petitioners submitted that the order passed by this Court is contrary to the facts, the weight of evidence on record, and the probabilities of case and that the order is liable to be reviewed, as this Court failed to consider one of the specific grounds raised under Order VII Rule 11(a) of the Code of Civil Procedure (CPC), which sought rejection of the plaint for lack of cause of action. She pointed out that this Court considered only the ground raised under Order VII Rule 11(d) of CPC while disposing of the Civil Revision Petition and did not address the contention raised under Rule 11(a) of CPC. She contended that the order suffers from an error apparent on the face of record, which is a valid ground for seeking review under Section 114 read with Order XLVII Rule 1 of CPC. Therefore, she prayed the	Tr. to I.O. folder before corrections, if any.

	Court to review the order by allowing this interlocutory application. On the other hand, learned counsel for the respondent opposed the submissions made by the learned counsel for the review petitioners stating that there is no illegality in the order of this Court and this Court has rightly passed the impugned order and prayed the Court to dismiss this Interlocutory Application. In the light of the submissions made by both the learned counsel and a perusal of the material available on record, this review petition is filed stating that this Court disposed of the civil revision petition, on the ground that res-judicata is not a ground for rejection of plaint. While deciding the petition for rejection of plaint, the Court has to go through the plaint averments only and as seen from the plaint averments, the plaintiff stated in the plaint only cause of action and even according to the respondent herein, the suit is already at the stage of adducing defendant No.2 evidence. Considering the stage of the suit and also the averments in the petition, there are no grounds to review the same and this review petition is liable to be dismissed. Accordingly, this Review Application is dismissed. SKS,J Sai/Rds	
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