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

FRIDAY, THE TWELFTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE P.SAM KOSHY

CIVIL REVISION PETITION NO: 3118 OF 2025

Petition under Article 227 of the Constitution of India, Aggrieved by the Order dated 16/07/2025 passed in IA No. 585/2025 in O.S.No.406 of 2003, on the file of the XX V Additional Chief Judge, City Civil Court at Hyderabad.

Between:

Sri B Narayana, S/o Late B.Balaiah, Aged 74 yrs, Occ. Business, R/o H.No 4-7-7/23/1. Street No.2, Annapurna Colony, Nacharam, Uppal-500076,

...Petitioner

AND

1. Sri B Sanjay Kumar, S/o Late B .Ramulu, Aged 50 yrs, Occ. Business, R/o 5-9-22/63, Adarshnagar, Hyderabad. **...1ST Respondent/Plaintiff.**
2. Sri.B Ramulu, S/o Late B.Balaiah, (Died per Lrs Def No.5)
3. Sri.B.Shanti Kumar, S/o Late B.Ramulu, Aged 50 yrs, Occ. Business, R/o 5-9-22/63, Adarshnagar, Hyderabad.
4. Smt. Reshmi Kalla, W/o Shantha Rain Kalla Aged 55 yrs, Occ. Housewife, R/o 155, Cowell Street, Elmont, Long Island, New York, USA- 110035.
5. Smt. B.Lakshmi, W/o B.Shanti Kumar, Aged 50 yrs, Occ Housewife,
6. Smt. B. Krupavathi, W/o Late B.Ramulu, Aged 70 yrs, Occ Housewife,
   R- [5&6 are R/o 5-9-22/63, Adarshnagar, Hyderabad.]

...Respondents/Defendants

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant **Stay** of all further proceedings in O.S. No.406 of 2003 on the file of the XXV Additional Chief Judge City Civil Court at Hyderabad pending finalization of the main Civil Revision Petition.

Counsel for the Petitioner: **Mr. CHAVALI RAMANAND, Advocate**

Counsel for the Respondent-1 : **Mr. CH. ANAND, Advocate**

Counsel for the Respondent- 4 & 6: **Mr. RAKESH SANGHI, Advocate**

Counsel for the Respondent- 3 & 5: **Ms. TSR. PRANATHI, Advocate**

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT YDERABAD

THE HONOURABLE SRI JUSTICE P.SAM KOSHY

Civil Revision Petition No.3118 of 2025

Date: 12.12.2025

Between:

Mr.B.Narayana ...Petitioner

AND

Mr.B.Sanjay Kumar and others. ...Respondents

ORDER:

Heard Chavidi Ramanand, learned counsel for the petitioner; Mr.Ch.Anand, learned counsel for respondent No.1; Mr.Rakesh Sanghi, learned counsel for respondent Nos.4 and 6 and Ms.T.S R.Pranathi, learned counsel for respondent Nos.3 and 5.

2. The instant Civil Revision Petition filed under Article 227 of Constitution of India assailing the order dated 16.07.2025 in I.A.No.585 of 2025 in O.S.No.406 of 2003.

3. *Vide* impugned order, the learned Trial Court has dismissed the petition filed by the petitioner/defendant No.6 under Order 18 Rule 17 read with Section 151 CPC seeking recalling of PW.1 and DW.1 for cross examination and reopening the evidence.

4. Perusal of the impugned order would go to show that learned Trial Court itself has taken due consideration of the same and have reached to the conclusion that the DW.1s chief evidence is over and for cross examination, an Advocate Commissioner has already been appointed and therefore, there is no need for recalling the evidence of DW.1. The defendant No.6 – petitioner would have all the rights to cross-examine the witness before the Commissioner.

5. So far as PW.1 is concerned, the trial Court was of the view that since the additional issues have been framed following the counter claim filed by respondent No.1, the matter would be put for refutal evidence on behalf of plaintiff and when the plaintiff is entering appearance for refutal evidence, the present petitioner/Defendant No.6 shall be permitted to cross-examine him.

6. At this juncture, learned counsel for the petitioner apprehends that if for any reason, the plaintiff does not enter appearance for refutal evidence, in that case, the petitioner may have a grievance. That stage does not arise when additional issues are framed. This Court presumes that plaintiff would be entering appearance for refutal evidence and under the said circumstances, the petitioner would be given a chance to cross-examine plaintiff. So far as the defendants defence is concerned, if for any reason, the plaintiff does not enters appearance or does not lead refutal evidence. the petitioner would be at liberty to take appropriate recourse in accordance to law.

7. The impugned order, at this juncture, does not warrants any interference. Accordingly, the present Civil Revision Petition fails and stands dismissed.

Consequently, miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

SD/- A. JAYASREE
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XX V Additional Chief Judge, City Civil Court at Hyderabad.
2. One CC to Mr. CHAVALI RAMANAND, Advocate [OPUC]
3. One CC to Mr. CH. ANAND, Advocate [OPUC]

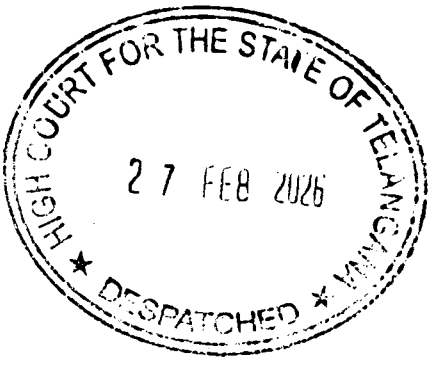
4. One CC to Mr. RAKESH SANGHI, Advocate [OPUC]
5. One CC to Ms. TSR. PRANATHI, Advocate [OPUC]
6. Two CD Copies

RC/PSL



HIGH COURT

DATED: 12/12/2025



ORDER

CRP.No.3118 of 2025

Accordingly, this Civil Revision Petition Fails & Stands Dismissed.

(8)
18/02/26