

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

**FRIDAY, THE TWENTY FIRST DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE P.SAM KOSHY

CIVIL REVISION PETITION NO: 3805 OF 2025

Petition under Article 227 of the Constitution of India, against the Order Dated 03.09.2025 passed in I.A.No.415 of 2023 in O.S.No.658 of 2016 on the file of the Court of the XXV Additional Chief Judge, City Civil Court at Hyderabad.

Between:

1. Sri V.K.Ramdas, S/o.Late V.Krishna Sharma (since died)
2. Sri R.Anand,, S/o.Late V.K.Ramdas, Aged 53 years, Occ.Private Employee, R/o. House No.2-2-185/56/G/1, Somasundaram Nagar, BaghAmberpet, Hyderabad-500 013.

...Petitioner/Petitioners/Defendants

AND

Smt.Malini Vijay Kumar,, W/o.Sri Vijay Kumar, Aged 48 years, Occ. Housewife, R/o.79, Sled Dog Rd, Brampton, ON L6R OJ6, Canada.

...Respondent/Respondent/Plaintiff

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.658 of 2016 by suspending the operation of the Order in I.A.No.415 of 2024 dt.3.9.2025 on the file of the XXV Additional Chief Judge, City Civil Court, at Hyderabad pending disposal of the main C.R.P.

Counsel for the Petitioners: SRI RUPENDRA MAHENDERA

Counsel for the Respondent:--

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE P.SAM KOSHY

CIVIL REVISION PETITION NO.3805 OF 2025

ORDER:

1. The instant Civil Revision Petition has been filed assailing the order dated 03.09.2025 passed by the XXV Additional Chief Judge, City Civil Court, Hyderabad (hereinafter referred to as "the Trial Court") in I.A.No.415 of 2023 in O.S. No 658 of 2016.
2. By the impugned docket order, the Trial Court allowed the petition filed by the respondent/plaintiff seeking permission to record her evidence as PW.1 through online mode by using video-conference facilities and, for that purpose, to appoint an Advocate Commissioner.
3. The Trial Court accordingly allowed the application and appointed an Advocate Commissioner to record the evidence of PW.1, directing that the plaintiff shall pay the Commissioner's fee. This order is now under challenge.
4. The objections raised by the petitioners/defendants are primarily that (i) the affidavit seeking permission to record the evidence of PW.1 online was sworn to by the counsel for the plaintiff, (ii) the request for recording evidence through online

mode was not in accordance with the guidelines framed by the High Court, and (iii) the grounds for such request were not substantiated with cogent evidence.

5. In the present case, the suit is one for partition filed by the plaintiff against her father and brother. The plaintiff resides in Canada. In today's world, where technology is widely accessible and routinely used in judicial proceedings, recording evidence through virtual mode has become common, especially when parties or witnesses live far away from the Court, where litigation is pending. When video-conference facilities are available, insisting on physical appearance would be unnecessary and inconvenient to the parties.

6. The objections raised by learned counsel for the petitioners/defendants regarding the affidavit having been affirmed by the plaintiff's counsel, the alleged non-compliance with guidelines, and the absence of detailed justification are hyper-technical. The petitioners/defendants will still have an opportunity to cross-examine PW.1 and advance all their objections in the original suit. No prejudice is caused merely because the evidence will be recorded online. On the other hand, insisting on physical appearance would cause inconvenience to the plaintiff and leads to unavoidable

complications. Recording evidence through video conference is now widely accepted and permitted at all levels.

7. Therefore, the Trial Court's decision in allowing the application cannot be found faulted. It is neither prejudicial to the parties nor contrary to law. Convenience of the parties is also a relevant consideration, which the Trial Court has rightly taken note of.

8. In view of the above, this Court finds no grounds to interfere with the impugned docket order.

9. The Civil Revision Petition accordingly stands dismissed.

Consequently, miscellaneous petitions pending, if any, shall stand closed.

SD/- A.H.S GOWRI SHANKAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XXV Additional Chief Judge, City Civil Court, at Hyderabad.
2. One CC to SRI RUPENDRA MAHENDERA Advocate [C.PUC]
3. Two CD Copies

NVB/Sa



HIGH COURT

DATED:21/11/2025



ORDER

CRP.No.3805 of 2025

DISMISSING THE CIVIL REVISION PETITION

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