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

FRIDAY, THE TWENTIETH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

CIVIL REVISION PETITION NO: 4216 OF 2025

Petition under Article 227 of the Constitution of India, Aggrieved by the order dated 21.08.2025 passed in I.A. No. 47/2025 in O.S No. 99/2023 and consequently allow the I.A. No. 47/2025 filed by the Petitioner in O.S No. 99/2023, by the Court of the III Addl. District & Sessions Judge, Medchal-Malkajgiri District, At Kukatpally, in the interests of justice.

Between:

M/s Aurobindo Pharma Limited, Corp. Office at Galaxy, Floors 22-24, Plot No. 1, Survey No.83/1, Hyderabad Knowledge City, Raidurg Panmaktha, Ranga Reddy District, Hyderabad Rep. by its authorized signatory Mr. V. Vamsi Krishna. **...Petitioner in I.A /Defendant -2 in OS**

AND

1. M/s. Vani Venkatesh Traders, Rep. by its Proprietor K. Venkateswar Rao, S/o Arjun Rao, R/o 5/35/315, Flat No.201, RJ Jai Chaitanya Heights, Sai Baba Colony, Kukatpally, Hyderabad – 500072
   ...Respondent -1 in I.A. / Plaintiff in OS
2. Muneer Ahmed Gulam, S/o Gulam Mohammed, Aged Major, Occ- Business, Proprietor of Metro Enterprises, R/o H.No. 11-226, Shanthinagar, Behind MRO Office, Patancheru Town and Mandal, District Medak, T.S.
   ...Respondent -2 in I.A. / Defendant -1 in OS

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 **Stay** all further proceedings in O.S No. 99/2023, pending before the III Addl. District & Sessions Judge, Medchal-Malkajgiri District, At Kukatpally.

Counsel for the Petitioner: **Mr. ABHINAYA REDDY, Advocate representing Ms JAKKA MANASVI REDDY, Advocate**

Counsel for the Respondents: **NONE APPEARED**

The Court made the following: ORDER

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

HON'BLE SRI JUSTICE K. LAKSHMAN

CIVIL REVISION PETITION Nos. 4216 OF 2025

Date:20-02-2026

Between

M/s Aurobindo Pharma Limited ...Petitioner

and

M/s Vani Venkatesh Traders
and another Respondents

This Court passed the following

ORDER

Heard Sri Abhinaya Reddy, learned counsel representing Ms. Jakka Manasvi Reddy, learned counsel for the petitioner.

2. Despite service of notice, there is no representation on behalf of respondents.

3. This revision is filed under Article 227 of the Constitution of India assailing the order dated 21.08.2025 passed in I.A.No.47 of 2025 in O.S.No.99 of 2023 by the III Additional District and Sessions Judge, Medchal-Malkajgiri District, At Kukatpally and consequently to allow the said application.

4. 1st respondent – plaintiff has filed the aforesaid suit in O.S.No.99 of 2016 against the petitioner herein – Defendant No.2 and 2nd respondent herein – Defendant No.1 seeking recovery of an amount of Rs.17,93,266/- with interest at 24% p.a.

(For the sake of convenience, the parties herein are referred to as they are referred in O.S.No.99 of 2016)

5. 2nd defendant entered appearance and filed written statement in the said suit. During pendency of the said suit, it has filed an application vide I.A.No.47 of 2025 under Order 8 Rule 1(3) read with Section 151 of CPC to receive gate passes issued by it from 05.02.2014 to 07.11.2014 with serial numbers as mentioned in the list of documents annexed therewith for the purpose of marking the same as exhibits.

6. It is the specific contention of the petitioner herein that it has raised various invoices on Defendant No.1 for the scrap material dispatched and having received the scrap material in several dispatches during the year 2014, Defendant No.1 handed over Demand Draft to Defendant No.2 towards sale amount of scrap material. In the process of the delivery of scrap material,

Defendant No.2 issued gate passes to Defendant No.1 for each consignment at the time of delivery to the D.1, the said gate passes were signed by D.1 and the said passes are corresponding to the invoices raised by the Defendant No.2. Office copies of the said invoices were already filed before the trial Court. However, due to oversight, the said gate passes were not filed along with the written statement which is neither willful nor wanton.

7. Plaintiff filed counter opposing the said application contending that Defendant No.2 has not explained bona fide reasons for not filing the said gate passes along with the written statement.

8. However, vide impugned order dated 21.08.2025, learned trial Court dismissed the said application holding that to receive the documents, Defendant No.2 has to mention bona fide reasons. Skipping the documents due to oversight is not a bona fide reason.

9. Challenging the said order, the petitioner filed the present revision.

10. It is the specific contention of Defendant No.2 that it has mentioned the aforesaid facts of issuance of gate passes, invoices

and receipt of material etc, in the written statement filed by it in the said suit.

11. Perusal of the said written statement would reveal that in paragraph No.6, the petitioner herein has specifically stated that since Defendant No.1 tendered the demand drafts, drawn in the name of Defendant No.2 and Defendant No.2 raised invoices and gate passes in the name of Defendant No.1 as a proof of sale of the material and delivery of the same to Defendant No.1. Therefore, the petitioner has laid foundation in filing the aforesaid application under Order 8 Rule 1(3) of CPC. Without considering the said aspects, learned trial Court dismissed the aforesaid application.

12. Therefore, the impugned order is not on consideration of the aforesaid aspects, more particularly, the aforesaid contention of Defendant No.2 in the written statement which shows that it has laid foundation in filing the aforesaid application. Thus, this Court is of the view that to do substantial justice to the parties, it is just and necessary to allow Defendant No.2 to file the aforesaid gate passes.

13. In the light of the aforesaid discussion, this revision is allowed. The impugned order dated 21.08.2025 passed in I.A.No.47 of 2025 in O.S.No.99 of 2023 by the III Additional District and Sessions Judge, Medchal-Malkajgiri District, At Kukatpally, is set aside and the said I.A.No.47 of 2025 in O.S.No.99 of 2023 is allowed.

Consequently, pending miscellaneous petitions, if any, in the revision shall stand closed.

SD/- M.OSMAN ALI BAIG
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

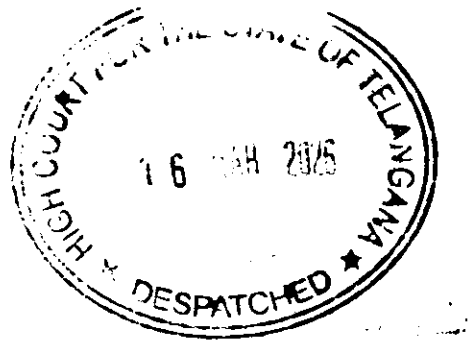
To,

1. The III Addl. District & Sessions Judge, Medchal-Malkajgiri District, At Kukatpally,
2. One CC to Mr. ABHINAYA REDDY, Advocate representing, Ms. JAKKA MANASVI REDDY, Advocate [OPUC]
3. Two CD Copies

PSL

HIGH COURT

DATED: 20/02/2026



ORDER

CRP.No.4216 of 2025

Accordingly, this Civil Revision Petition is Allowed

(5) JKS
9/3/26