

## **HONOURABLE SRI JUSTICE B.PRAKASH RAO**

**C.R.P. No.4845 & 4846 of 2010**

### **COMMON ORDER:**

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At the request of the learned counsel for the petitioner, the main revision petition itself is taken up for hearing and disposal at the admission stage.

Since the issue involved in these revisions is the same and the petitioner is also one and the same, both these revisions are being heard together and disposed of by this common order.

C.R.P.Nos4845 and 4846 are directed against the orders passed in I.A.Nos.241 of 2009 and 288 of 2010, respectively, in O.S.No.188 of 2009 on the file of the 1<sup>st</sup> Junior Civil Judge, City Civil Court, Secunderabad.

Originally, the petitioner herein filed a suit in O.S.No.188 of 2009 on the file of the learned 1<sup>st</sup> Junior Civil Judge, Secunderabad, seeking permanent injunction restraining the 3<sup>rd</sup> respondent from interfering with the plaint schedule property. While so, the third parties have filed I.A.No.241 of 2009 in O.S.No.188 of 2009 to implead them as defendants in the said suit. The trial Court after considering the evidence both oral and documentary, allowed the petition. Thereafter, the petitioner filed I.A.No.288 of 2010 in O.S.No.188 of 2009 seeking to direct the deponent in the affidavit filed in support of I.A.No.241 of 2009 to appear before the Court for cross-examination. However, the Court below dismissed the said application. Aggrieved by the orders passed in both the I.As, the petitioner filed these revisions.

Having heard the learned counsel for the petitioner and perused the material available on record and in view of the discretion exercised

by the Court below which virtually allowing the parties to have an examination in full trial in support of their cases in the main suit, and as well as the Court below has more property given its findings in the orders under impugned, I do not find any reason to interfere with the impugned orders and hence, the Civil Revision Petitions are liable to be dismissed.

Accordingly, both the Civil Revision Petitions are dismissed, However, it is made clear that since the petitioner is seeking cross examination of the proposed parties, he can as well be rebut the any claims put forth by the proposed parties by filing appropriate evidence. There shall be no order as to costs.

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**31<sup>st</sup> March 2011**

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