

**IN THE HIGH COURT OF JUDICATURE, ANDHRA
PRADESH AT HYDERABAD**

WEDNESDAY, THE 30th DAY OF NOVEMBER,
TWO THOUSAND AND ELEVEN

PRESENT

HON'BLE SRI JUSTICE A. GOPAL REDDY

CIVIL REVISION PETITION No.4802 of 2011

Between:

Damara Venkata Narasaiah and another

... Petitioners

And

Surampalli Venkata Subba Rao and others

... Respondents

This Court made the following:

HON'BLE SRI JUSTICE A. GOPAL REDDY

CIVIL REVISION PETITION No.4802 of 2011

ORDER: -

The docket order, dated 01.03.2011, passed by the learned Principal District Judge, Krishna at Machilipatnam in I.A.No.2 of 2010 in I.A.No.55 of 2009 in T.A.S.No.2 of 2004, condoning the delay of 1350 days in filing the petition to set aside the abatement caused for not bringing the legal representatives, without any reasons, cannot be sustained. From the docket order it cannot be understood as to what is passing in the mind of the learned District Judge. In view of the same, after hearing both the parties, I deem that it is a fit case to remand the matter to the lower court for fresh disposal. Accordingly, the impugned order is set aside and the lower court is directed to dispose of the I.A. by giving a reasoned order.

The Civil Revision Petition is, accordingly, allowed and the matter is remanded to the lower court for fresh disposal. No order as to costs.

A. GOPAL REDDY, J

30.11.2011

 lmv

HON'BLE SRI JUSTICE A. GOPAL REDDY

CIVIL REVISION PETITION No.4802 of 2011

lmv

18.11.2011