

THE HON'BLE SRI JUSTICE G.KRISHNA MOHAN REDDY

CIVIL REVISION PETITION No.6522 2012

December 31, 2012

Between:

P.Suresh Babu, S/o.P.Venkatesh
And another

... Petitioners/
Respondents/
Tenants

AND

Sarfrazunnisa, W/o.Mir Shoukat Ali

... Respondent/
Petitioner/
Landlady

THE HON'BLE SRI JUSTICE G.KRISHNA MOHAN REDDY

CIVIL REVISION PETITION No.6522 of 2012

ORDER:

In this civil revision petition assailed order dated 23.11.2012
passed in I.A. No.546 of 2012 (I.A) in O.S.No.383 of 2011 on the file of

the Court of Principal Rent Controller-cum-XII Junior Civil Judge, City Civil Court, Hyderabad.

The petitioners herein are the tenants and the respondent herein is the landlady of the petition schedule property. The I.A. was filed by the landlady under Order XXVI Rules 1 and 2 read with Section 151 of the Code of Civil Procedure, 1908 (CPC) to appoint an Advocate Commissioner to mark documents and to record her cross-examination (as P.W.1) at her residence with house No.19-5-17/A/4, Bahadurpura, Hyderabad on the ground that she was suffering from liver problem, chronic diabetes with hypertension and joint pains by reason of which she was undergoing treatment frequently at Yashoda Hospital, Malakpet, Hyderabad as a result of which it was not possible to her to attend the Court to give evidence on her behalf. She also filed medical certificate in this regard. The respondents resisted the claim claiming that a false plea was taken to avoid her examination before the Court and therefore the I.A. should not be allowed.

The Court below allowed the I.A. on the basis of a medical certificate produced. Having gone through the record, I find no reasons to take a contrary view. There are no merits in the petition thereby.

In the result, the civil revision petition is dismissed. Miscellaneous petitions pending if any shall stand closed.

(G.KRISHNA MOHAN REDDY, J)

December 31, 2012.
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