

THE HON'BLE THE ACTING CHIEF JUSTICE C. PRAVEEN KUMAR

CIVIL REVISION PETITIONS No 811 and 955 of 2019

COMMON ORDER:

1. Both the revisions are being disposed of by way of this common order since the parties in the revisions are one and the same.
2. C.R.P.No.811 of 2019 came to be filed challenging the order dated 1.3.2019 passed in I.A.No.1280 of 2018 in A.S.No.199 of 2010 by the VII Additional District & Sessions Judge, Vijayawada, whereunder the application filed by the 1st respondent herein under Order 41 Rule 27 CPC to receive the document i.e., order marking the retirement of the 2nd respondent herein, was allowed.
3. C.R.P.No.955 of 2019 came to be filed challenging the order dated 8.3.2019 passed by the VII Additional District & Sessions Judge, Vijayawada, in I.A.No.59 of 2019 in A.S.No.199 of 2010, whereunder the application filed by the 1st respondent herein seeking to issue summons to the Accounts Officer, Office of GMTD, BSNL Bhavan, Chuttugunta, Vijayawada, to cause production of retirement particulars and attachment warrant issued in E.P.No.96 of 2007 and the action taken against the 2nd respondent herein, was allowed.
4. The learned Counsel for the petitioners would contend that the impugned applications were filed by the 1st respondent after eight years after filing the appeals and the impugned orders passed by the Court below allowing those applications cannot be justified as no reasons were placed on record to show as to why those applications were filed after

lapse of eight years after filing the appeals. He would further contend that even on merits, the applications of this nature cannot be accepted at the appellate stage.

5. Sri Y. Ramathirtha, learned Counsel for the respondents would contend that the orders impugned were passed in the month of March, 2019 and the documents in question were received by the Court below and the Accounts officer was also summoned and examined and as such, nothing survives for adjudication in these revision petitions.

6. As seen from the material available on record, it is obvious that both the orders impugned were worked out and the document, which was sought to be received, was received and the Accounts Officer was also examined and he is said to have produced retirement particulars of the 2nd respondent herein and other documents while giving evidence. The said fact is not disputed by the learned Counsel for the petitioners.

7. Having regard to the above, I do not find any grounds to interfere with the orders impugned. However, the petitioners are always at liberty to raise all the grounds urged in these revision petitions, in the appeal.

8. Accordingly, the Civil Revision Petitions are dismissed. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

C. PRAVEEN KUMAR, ACJ

Dated: 28.06.2019
Nn

THE HON'BLE THE ACTING CHIEF JUSTICE C. PRAVEEN KUMAR

CIVIL REVISION PETITIONS No:811 and 955 of 2019

28.6.2019

Nn