

THE HON'BLE SRI JUSTICE G.SHYAM PRASAD

CIVIL REVISION PETITION No.4020 of 2014

ORDER :

This Civil Revision Petition arises out of the order dated 24.09.2014 passed in I.A.No.1082 of 2007 in O.S.No.14 of 2001 on the file of the Court of the II Additional District Judge, Vijayawada.

2. Heard the learned counsel for petitioner and the learned counsel for respondents.

3. Learned counsel for the petitioner submits that the petitioner is the Defendant No.1 in O.S.No.14 of 2001 filed for recovery of money. The plaintiff filed I.A.1082 of 2007 in O.S.No.14 of 2001 seeking for amendment of both short and long cause titles as 'Shriram Chits Private Limited' in the place of Shriram Chits Limited' and the trial Court has allowed the said application subject to payment of Rs.500/-. He further submits that amendment application was filed at the belated stage without disclosing any valid reason for amendment and in order to cover up the latches, amendment petition was filed by the plaintiff, therefore, prays to set aside the order of the trial Court.

4. Learned counsel for the respondents submits that the proposed amendment will not cause any prejudice to the case of the petitioner / Defendant No.1 and the proposed amendment will not change the cause of action or plea contrary to the pleadings already taken, except some delay in seeking amendment, which could be compensated by way of costs and the trial Court has rightly come to a conclusion and passed appropriate orders, therefore, prays to dismiss the petition.

5. In view of the facts and circumstances of the case and as the relief sought by the Respondent No.1/ plaintiff will never cause any prejudice to the petitioner/ Defendant No.1, this Court is of the considered view that the finding of the trial Court does not require any interference.

6. In view of the aforesaid discussion, the order of the trial Court dated 24.09.2014 passed in I.A.No.1082 of 2007 in O.S.No.14 of 2001 on the file of the Court of the II Additional District Judge, Vijayawada, is hereby confirmed. However, the suit is of the year 2001, the trial Court is directed to dispose of the same within a period of six (06) months from the date of receipt of a copy of this order.

7. With the above observation, the Civil Revision Petition is disposed of. There shall be no order as to costs.

As a sequel, miscellaneous petitions pending, if any, in this petition shall stand closed.

G.SHYAM PRASAD, J

Dated : 26.02.2020
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