

THE HON'BLE SRI JUSTICE SANJAY KUMAR

CIVIL REVISION PETITION No.19 OF 2015

—
DATED: 12.03.2015

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Between:

K. Roja and another

.. Petitioners

And

P. Srinivasa Rao

.. Respondent

THE HON'BLE SRI JUSTICE SANJAY KUMAR

CIVIL REVISION PETITION No.19 of 2015

ORDER:

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This civil revision petition under Article 227 of the Constitution was filed by the defendants in O.S.No.334 of 2007 on the file of the learned V Additional Junior Civil Judge, Warangal, aggrieved by the order dated 09.12.2014 passed in I.A.No.1601 of 2014 filed by them in the said suit under Section 65 of the Indian Evidence Act, 1872 (for brevity, 'the Act of 1872'), for leading secondary evidence.

By the order under revision, the trial Court dismissed the said I.A. holding that the conditions prescribed in Section 65 of the Act of 1872 were not made out to permit adducing of secondary evidence.

By order dated 13.01.2015, this Court granted interim stay of all further proceedings in the suit and the said order was extended from time to time thereafter.

When the matter was taken up for hearing, Sri C.V.V. Prasad, learned counsel representing Sri P.R. Prasad, learned counsel for the petitioners/ defendants, however stated that his clients would take steps to obtain the originals of the documents in question and file the same before the trial Court and therefore there would be no necessity for his clients to pursue their endeavour to mark secondary evidence.

Recording the said submission, the civil revision petition is disposed of leaving it open to the petitioners/defendants to obtain the originals of the documents sought to be relied upon by them and mark them in the suit proceedings by way of an appropriate application in

accordance with law.

Interim stay granted by this Court shall stand vacated. Pending miscellaneous petitions, if any, shall also stand disposed of. No order as to costs.

JUSTICE SANJAY KUMAR

12th March, 2015

Note:-

Issue C.C. in three days.

B/o

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