

HIGH COURT OF ANDHRA PRADESH

MAIN CASE No: C.R.P.No.444 of 2023

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE.
01.	31.03.2023	<u>RC,J</u> <u>C.R.P.No.444 of 2023</u> Notice before admission. Learned counsel for petitioners is permitted to take out personal notice on respondents by registered post with acknowledgment due and file proof of service in the Registry. Post on 17.04.2023. RC, J <u>I.A.No.01/2023</u> Heard the learned counsel for the petitioner. Learned counsel for petitioner submitted that the petitioner filed I.A.No.969/2022 under Order VIII Rule 1(A) of the CPC, 1908 to condone the delay in filing the document mentioned in the petition and to receive the same in the interest of justice. He further submitted that, the said application has been dismissed erroneously by the Court below on the ground that these documents are filed at belated stage. Learned Counsel for petitioner further contended that as the documents are very much required to do substantial justice to this case, and failed to see the same, the Court below has also	

failed to follow the principles laid down by the Apex Court where delay should not come in the way while doing justice and parties to the suit should not be deprived from to filing documents. Even if there is some delay, denying the same leads to denial of justice. Learned counsel for petitioner further submitted that in the present case, the petitioner has good case in the revision and the Court below has solely dismissed on the ground of delay. As such, prayed to consider the revision.

Perused the orders impugned in this revision petition. The submissions made by the learned counsel for petitioner and the grounds raised in this revision petition *prima facie* makes out a point for consideration to be decided in this revision petition. There is some force in the contentions of the learned counsel for petitioner that in the meantime, if the suit is decided, the purpose of filing this revision and the rights of the revision petitioner would be defeated, as such this Court is inclined to grant the following interim order:

There shall be stay of all further proceedings in O.S.No.59 of 2011 on the file of learned II Additional District Judge, Kadapa at Proddatur, for a period of four(04) weeks.

RC, J

BRS

