

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

CIVIL REVISION PETITION No.3871 of 2014

ORDER:

This Civil Revision Petition is filed aggrieved by the order, dated 17.09.2014, passed in I.A.No.290 of 2014 in O.S.No.1148 of 2012 on the file of the II Additional Senior Civil Judge, Vijayawada.

The respondent herein filed the aforesaid suit, for recovery of money based on Ex.A1-promissory note, against the petitioner herein. The case of the petitioner is of total denial of execution of such promissory note and that it is a fabricated document based upon which the suit claim is made by the respondent. After completion of the evidence on the respondent's side, the petitioner filed the present I.A., seeking to send Ex.A1-promissory note and the admitted signatures on vakalath, written statement, summon and acknowledgement card to the Hand Writing Expert for the purpose of comparison and opinion. By the impugned order dated 17.09.2014, the Court below has dismissed the said application. Hence, this revision.

Heard learned counsel for the petitioner and perused the entire material on record.

The suit is of the year 2012. PWs.1 to 3 were

examined. Since there are admitted signatures of the petitioner on vakalath and other documentary evidence, the Court below, in exercise of power under Section 73 of the Indian Evidence Act, 1872, can compare the disputed signatures with such admitted signatures. In view of the findings recorded by the Court below, this Court is of the opinion that no case is made out by the petitioner so as to interfere with the impugned order.

Accordingly, the Civil Revision Petition is dismissed. There shall be no order as to costs.

The miscellaneous petitions, if any, pending in this Civil Revision Petition shall stand closed.

R.SUBHASH REDDY, J

20.02.2015

v v