

THE HON'BLE SRI JUSTICE K.C. BHANU

-

CIVIL REVISION PETITION No.988 OF 2015

ORDER:

This Civil Revision Petition, under Section 115 of the Code of Civil Procedure, 1908 (for short, 'CPC'), is directed against the Order and decree, dated 29.10.2014, in Execution Application No.210 of 2014 in Execution Application No.1767 of 2003 in Execution Petition No.475 of 2001 in Original Suit No.1393 of 1980 passed by the I Additional Junior Civil Judge, Guntur.

2. The aforesaid Execution Application was filed under Order XXVI Rule 10A and Section 151 CPC and Section 45 of the Indian Evidence Act, 1872 to send Ex.B.1 to the fingerprint expert at R.L.F.S.L., Hyderabad, for comparison along with admitted signatures of one Naralasetti Anasuyamma available in the Original Suit and the same was dismissed.

3. Heard both sides.

4. The prayer in the Execution Application itself is misconceived. Admittedly Ex.B.1 document contained the finger print and so, the question of comparison of fingerprint with the admitted signatures of Anasuyamma may not arise. Therefore, the trial Court rightly dismissed the Execution Application and there are no grounds to interfere with the same.

5. Accordingly, the Civil Revision Petition is dismissed. There shall be no order as to costs. Miscellaneous Petitions, if any, pending in this revision shall stand closed.

JUSTICE K.C. BHANU

Date:02.04.2015

INL