

**HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO**

CIVIL REVISION PETITION NO. 4454 OF 2014

**ORDER:**

This Revision is filed challenging the order dated 13.10.2014 in I.A.No. 1192 of 2014 in O.S.No. 240 of 2012 of the Principal Senior Civil Judge, Eluru.

2. Petitioner herein is the defendant in the suit. The said suit was filed by the respondent for recovery of money on the basis of promissory note dt. 24.11.2009 allegedly executed by the petitioner in favour of the respondent.

3. Written statement was filed by the petitioner opposing the suit claim and contending that a blank promissory note was taken from the petitioner by one M.V.S. Subbarao in respect of discharged debt for the year 2000-2001 in respect of which O.S.No. 240 of 2012, 241/2012 and 243/2012 were filed and alleging that the suit promissory note was fabricated by filling up the blanks.

4. Issues were framed. Trial commenced. PWs 1 & 2 were examined. PW-3's chief examination was concluded and the suit was coming up for cross-examination of PW-3.

5. At that stage, the petitioner filed I.A.No. 327 of 2014 under Order 6 Rule 17 CPC to permit him to amend the written statement. He also filed I.A.No. 1192 of 2014 to send the suit promissory note to A.P. Forensic Lab, Hyderabad to obtain the opinion of the expert with regard to material alteration of the year 2001 as 2009 in the suit document.

6. The Court below dismissed I.A.No. 327 of 2014 on 30.4.2014. Consequently, it also dismissed I.A.No. 1192 of 2014 by order dated 13.10.2014.

7. Petitioner filed C.R.P.No. 4453 of 2014 before this Court challenging the order dated 30.4.2014 in I.A.No. 327 of 2014. By a separate order, the said Revision has been dismissed.

8. Since the petitioner's request for permission to amend written statement, raising plea of material alteration in the promissory note has thus been negated, I am of the opinion that no useful purpose would be served by sending suit promissory note to A.P. Forensic Lab, Hyderabad to obtain the opinion of the expert with regard to the material alteration to amend the written statement.

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

10. As a sequel thereto, miscellaneous petitions, pending if any, shall stand dismissed.

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**JUSTICE M.S.RAMACHANDRA RAO**

Date: 18.06.2015  
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