

THE HON'BLE SRI JUSTICE K.C.BHANU

CIVIL REVISION PETITION NO.605 OF 2015

ORDER:

This petition is filed against the docket order, dated 06-02-2015 in I.A.No.1679 of 2014 in O.S.No.295 of 2013 on the file of the Principal Senior Civil Judge, Narasaraopet, Guntur District.

2. The above application was filed under Section 151 CPC by the respondent herein (defendant) to direct the petitioner herein (plaintiff) to submit his handwriting in the open Court pertaining to Exs.B1 to B5 and Exs.X1 to X4 to send the same along with the disputed signatures of the plaintiff to the expert for his comparison and opinion and the said application was allowed. Hence, this revision.

3. Learned counsel appearing for the petitioner herein (plaintiff) contended that there is no need to send Exs.B1 to B5 along with the admitted signatures of the plaintiff to the expert since the transactions covered under the above documents are nothing to do with the suit transaction, that after closure of the evidence, the present application was filed and hence, he prays to allow the revision.

4. The plea of the defendant is that he paid certain amounts to the plaintiff under Exs.B1 to B5 and the signatures and handwritings on Exs.B1 to B5 were denied. Though the opinion of the expert is not conclusive, but it can be received as opinion evidence. Therefore, the trial Court rightly directed the plaintiff to give specimen signatures so as to compare the same with the disputed signatures on Exs.B1 to B5. Proper reasons were given by the trial Court for allowing the application and the said order needs no interference by this Court.

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

K.C.BHANU, J

DATED: 20-02-2015
Hsd