

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

CIVIL REVISION PETITION No.1840 of 2015

ORDER:

This Civil Revision Petition is filed challenging the order

dt.10-04-2015 in I.A.No.38 of 2014 in Election O.P.No.7 of 2013 of the Principal Junior Civil Judge, Jangaon, Warangal District.

2. The petitioner herein is 1st respondent in the Election O.P. His election was questioned in the O.P. by 1st respondent herein on the ground that petitioner suffered a disqualification under Section 19(3) of the A.P. Panchayat Raj Act, 1994.

3. I.A.No.38 of 2014 was filed by 1st respondent herein seeking permission of the Court to file certain documents invoking Order VII Rule 14 (3) CPC stating that the said documents are relevant and necessary to establish his case and they could not be filed along with O.P. since he had obtained the documents recently after filing of the O.P.

4. This application was opposed by petitioner stating that some documents now being filed were tampered.

5. By order dt.10-04-2015, the Court below allowed the said I.A. It held that the relevancy, proof and admissibility of the documents now being filed would be considered at the time of final hearing of the case and no prejudice would be caused if the 1st respondent is permitted to exhibit the said documents subject to proof, relevancy and admissibility.

6. This is questioned in this Civil Revision Petition.

7. The learned counsel for petitioner submits that earlier the

1st respondent had filed a birth certificate relating to petitioner's daughter Shravya and now a different birth certificate is sought to be filed and this latter certificate is a tampered one.

8. I am of the opinion that the Court below, at the time of deciding whether or not to permit the 1st respondent to file the documents, cannot go into the genuineness of the documents sought to be filed. The Court below has rightly held that the relevancy, proof and admissibility of the documents sought to be filed along with I.A.No.38 of 2014 will be gone into during trial. The interest of petitioner is thus adequately protected. So I see no error of jurisdiction in the order passed by the Court below.

9. Therefore, this Civil Revision Petition is dismissed.

No costs.

10. As a sequel, miscellaneous petitions pending, if any, shall stand disposed of.

JUSTICE M.S. RAMACHANDRA RAO

Date: 03-06-2015

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