

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

CIVIL REVISION PETITION No. 144 of 2015

ORDER:

The petitioner herein is plaintiff in O.S.No.116 of 2010 on the file of the Junior Civil Judge at Vemulawada. The suit was filed against the respondents herein for cancellation of a registered Sale Deed dated 27.03.1998 under document bearing No.680/1998. In the said suit, the petitioner filed I.A.No.177 of 2014 praying the Court to call for the signature book from the Sub Registrar's Office, Gangadhara, for sending the admitted signature along with the record of the petitioner, to the expert for comparison and opinion. The said application was dismissed by order dated 10.10.2014, as the disputed document is available before the Court and it can be sent along with the admitted signature to the expert for comparison and opinion, if the signature book is called from the Sub Registrar's Office, much inconvenience would be caused to the day-to-day business of the Office and the general public.

2. When the Court came to the conclusion that the disputed document was available, it could have sent along with the admitted signature of the plaintiff available on the plaint to the expert for comparison and opinion, though the relief sought for by him could not be granted. Now, at the time of hearing the present civil revision petition, both the counsel agreed for sending the registered sale document bearing No.680/1998 along with the admitted signature of the plaintiff available on the plaint to the expert for comparison and opinion. In the circumstances, the impugned order dated 10.10.2014 passed in I.A.No.177 of 2014 in O.S.No.116 of 2010 is set aside and the matter is remanded to the learned Junior Civil Judge at Vemulawada for passing appropriate orders fixing a timeframe for obtaining the opinion of the expert in the circumstances of the case.

3. The Civil Revision Petition is accordingly allowed to the extent indicated above. The learned Junior Civil Judge at Vemulawada shall pass orders within a period of two weeks from the date of receipt of a copy of the order. Consequently, miscellaneous petitions, if any, pending in the civil revision petition shall stand

dismissed. There shall be no order as to costs.

A.RAMALINGESWARA RAO, J

12th November, 2015

cbs

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

—

