

HON'BLE SRI JUSTICE S.V.BHATT

CIVIL REVISION PETITION No.2001 OF 2015

ORDER:

The defendant in O.S.No.66 of 2010 in the Court of Junior Civil Judge, Kota, is the revision petitioner.

The revision petitioner filed I.A. No.18 of 2014 to send revival letter alleged to have been executed by him to the opinion of Hand Writing Expert. The trial Court after considering reasons stated in the accompanying affidavit and also the issue between the parties, declined the prayer in I.A. No.18 of 2014. Hence, the revision.

The learned counsel for the revision petitioner takes exception to the finding recorded by the learned trial Judge by contending that delay at any rate cannot be attributed to the revision petitioner, for revision petitioner with the commencement of evidence on his behalf is prompt in filing the application. Though the explanation appears to be reasonable, having regard to the other attendant circumstances namely that it is for the respondent Bank to prove due execution of revival letter by the defendant and the request is declined by the trial Court. I see no illegality or irregularity in the order under revision. The C.R.P. is dismissed. No order as to costs. The original order dated 07.04.2015 summoned by this Court is directed to be returned.

Miscellaneous petitions pending, if any, in the C.R.P, shall stand closed.

S.V.BHATT,J

Date:14.08.2015

Stp

