

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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C.R.P.No. 2373 of 2015

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Date of Judgment: 25.6.2015

Between:

K.S.S. Ramacharyulu

...Petitioner

And

Mucheli Munikrishna Reddy and another

..Respondents

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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C.R.P.No. 2373 of 2015

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ORDER:

Heard learned counsel for the petitioner.

An application in I.A.No. 104 of 2015 filed by the petitioner/defendant No.1 in O.S.No. 770 of 2011 on the file of Addl. Senior Civil Judge, Tirupati seeking a direction to the Assistant Executive Officer, T.D. to cause production of his service register and pension book was dismissed under the impugned order, dated 12.3.2015.

It is evident from the record itself that the suit based on promissory note was posted for arguments as early as on 10.9.2014. At that stage the petitioner filed I.A.No. 550 of 2014 seeking to send the suit promissory note to a handwriting expert for comparison and that petition was dismissed on 8.10.2014. The said order had attained finality. Subsequently the petitioner filed the present application in I.A.No. 104 of 2015 (it is wrongly mentioned in the revision as I.A.No. 104 of 2014). It is evident that the order in I.A.No. 550 of 2014 being attained finality, it is not open to the petitioner to once again seek production of service register for the purpose of examination again by an expert. Even if the petitioner wanted to take any such steps, he should have taken the same at the initial stage, as the suit is pending from 2011 onwards. At this long length of time when the suit is ripe for disposal, the application was rightly rejected by the Court below. I see no reason to interfere with the impugned order.

Accordingly the revision petition is dismissed along with miscellaneous applications, if any. No order as to costs.

VILAS V. AFZULPURKAR, J

Dt. 25.6.2015

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