

HON'BLE SRI JUSTICE R.SUBHASH REDDY

CIVIL REVISION PETITION No.4643 of 2015

ORDER :

This Civil Revision Petition, under Section 22 of the A.P. Buildings (Lease, Rent and Eviction) Control Act, 1960 (for brevity "the Act") is filed by the petitioner/tenant aggrieved by the order dated 04.09.2015 in I.A.No.136 of 2014 in R.A.No.47 of 2011 passed by the Chief Judge, City Small Causes Court, Hyderabad, dismissing the application filed by him seeking to receive certain documents as additional evidence.

2 . The eviction proceedings initiated by the respondent/ landlady against the petitioner/tenant vide R.C.No.542 of 2007 on the file of the I Additional Rent Controller, Hyderabad, was allowed by order dated 25.10.2010. Challenging the said order, the petitioner/tenant has filed R.A.No.47 of 2011 on the file of the Chief Judge, City Small Causes Court, Hyderabad. During the pendency of the said appeal, the petitioner has filed the present application being I.A.No.136 of 2014 seeking to receive certain documents i.e., Expert's Examination/Opinion report No.599/Misc/2013, dated 26.11.2013 along with reasons and one set of photo prints, photo studio bill dated 24.11.2013 and compact disc., Sony CD-R 700 MB bearing No.599/Misc/13 along with the admitted/examined documents like certified copies of Ex.P-1 dated 15.10.2006, Ex.P-3 dated 12.10.2007, counter dated 10.04.2008 and vakalath of 2008, as additional evidence by condoning the delay if any. After hearing both sides and considering the material on record, the lower appellate Court dismissed the said application through the impugned order dated 04.09.2015. Hence, the present civil revision petition.

3. Heard learned counsel for the parties and perused the impugned

order and the material on record.

4. It is to be seen that even during the pendency of proceedings in R.C.No.542 of 2007 before the trial Court, similar attempt made by the petitioner/tenant by filing I.A.No.344 of 2008 in R.C.No.542 of 2007 for sending the disputed documents for Expert's opinion, was dismissed by the trial Court by order dated 23.01.2009 and the same was confirmed by this Court by order dated 22.04.2010 in C.R.P.No.1690 of 2009, holding that the Court below is empowered to compare the signatures in dispute at an appropriate time under Section 73 of the Evidence Act. Therefore, I do not find any reason in this revision, warranting interference by this Court.

5. Accordingly, this civil revision petition is dismissed, at the stage of admission. As a sequel, miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

JUSTICE R. SUBHASH REDDY

13.11.2015.

Msr

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