

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

-

CIVIL REVISION PETITION No.2700 OF 2015

Between:

Nimmala Vishnuvardhan Reddy and another
....Petitioners/Defendants

And

Thumula Ramakrishna Rao
....Respondent/Plaintiff

DATE OF JUDGMENT PRONOUNCED: 21.08.2015.

SUBMITTED FOR APPROVAL:

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

- | | | |
|---|--|--------|
| 1 | Whether Reporters of Local newspapers may be allowed to see the Judgments? | Yes/No |
| 2 | Whether the copies of judgment may be marked to Law Reporters/Journals? | Yes/No |
| 3 | Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment? | Yes/No |

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CIVIL REVISION PETITION No.2700 OF 2015

ORDER:

This Civil Revision Petition is filed by the petitioners/defendants questioning the order dated 02.06.2015, passed by the Principal Senior Civil Judge, Nalgonda, in I.A.No.1516 of 2014 in O.S.No.588 of 2014, wherein and whereby the application filed by the petitioners/defendants under Section 45 of the Indian Evidence Act,

seeking a direction to send the suit promissory note document to the handwriting expert for comparison with the admitted signatures of the 2nd defendant, was dismissed.

Heard the learned counsel for the petitioners/defendants and the learned counsel for the respondent/plaintiff.

-
A perusal of the affidavit filed in support of the petition in I.A.No.1516 of 2014 in O.S.No.588 of 2014, does not reveal any contemporaneous signature as such has been made in any document bearing with signature as such placed before the Court below. In the absence of such material being placed, following the judgment of this Court reported in **M. Narsi Reddy v. V. Raghu Ram naidu and another** ^[1], the I.A.No.1516 of 2014 was dismissed. Though, the learned counsel for the petitioners makes an endeavor to place a registered document executed in the year 2010, firstly the said document was not placed before the Court below. Secondly, the document which is sought to be placed before this Court is of the year 2010 and considering the fact that the promissory note is of the year 2013, it cannot be said that the document is of 2010 bearing signature would be a contemporaneous document. In that view of the matter, there is no infirmity or illegality in the orders passed by the Court below in dismissing the impugned I.A. However, liberty is given to the petitioners/defendants to make an application before the Court below, if they have any other material with them which is of the contemporaneous nature and on such application being made, the same shall be considered in accordance with law.

With the above observations, the Civil Revision Petition is disposed of. No order as to costs.

Miscellaneous Petitions, if any, pending in this civil revision petition, shall stand dismissed.

CHALLA KODANDA RAM, J

Date:21.08.2015.
Gk

HON’BLE SRI JUSTICE CHALLA KODANDA RAM

-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-

CIVIL REVISION PETITION No.2700 OF 2015

-

Date:21.08.2015

Gk

[\[1\]](#) 2015 (2) ALT 529