

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

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CIVIL REVISION PETITION No.2630 of 2015

BETWEEN

Pathapalem Jagannadham.

... PETITIONER

AND

Bandaru Srinivasulu.

...RESPONDENT

DATE OF JUDGMENT PRONOUNCED: 21.07.2015

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SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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

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ORDER:

Petitioner is defendant in O.S.No.220 of 2014 before the Additional Senior Civil Judge, Tirupati. Petitioner filed I.A.No.489 of 2015 seeking to send the suit pronote for expert opinion. The Court below, however, dismissed the said application under impugned order dated 22.06.2015 on finding that there is no material nor there is any contemporary signature produced by the petitioner. The said order is questioned in this revision.

2. Learned counsel for the petitioner states that the petitioner will produce contemporaneous document so that the petitioner's request for sending the document to expert can be considered.

3. Even such request cannot be considered at the revisional stage, as the petitioner has to produce appropriate document before the Court below so that the Court below will be in a position to appreciate whether the document is really contemporaneous and to take a decision as to whether the said pronote is necessary to be sent to expert. Though no interference is called for, petitioner is at liberty to make an appropriate application before the Court below after complying with the requirement, as above and if such an application is made within a period of four (4) weeks from today, the Court below shall consider the same on its own merits and pass appropriate orders.

The civil revision petition is dismissed with liberty aforesaid. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

July 21, 2015
DSK