

**HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO**

**Civil Revision Petition No.483 of 2014**

**Date: 15-12-2015**

Between:

Sayeed Bin Awaz

.... Petitioner

AND

Bandi Mallamma

.... Respondent

**HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO**

**Civil Revision Petition No.483 of 2014**

**ORDER:**

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The defendant in O.S.No.170 of 2013 on the file of Senior Civil Judge, Karimnagar is the petitioner herein.

The respondent herein filed the said suit for specific performance of an agreement of sale dated 11-10-2003. In the said suit, the petitioner herein filed I.A.No.229 of 2013 stating that the alleged agreement of sale dated 11-10-2003 is a concocted and created document and the signature of the petitioner was forged. Accordingly, he requested the Court to send the agreement of sale to Government Handwriting Expert for comparison with admitted signatures. The said application was dismissed on 20-09-2013 by the learned Senior Civil

Judge, Karimnagar by holding that under Section 73 of the Evidence Act, the Court can compare the admitted and disputed signatures of the petitioner/defendant and can give its findings and at this juncture, there is no need to send the disputed agreement of sale dated 11-10-2003 for Handwriting Expert.

It is submitted by the learned counsel for the petitioner that the trial of the suit has not yet commenced and in the circumstances, this Court is not inclined to interfere with the said order, but with an observation that if the Court feels it necessary in view of the affidavit filed in support of the present application, the Court can *suo motu* send the document for Handwriting Expert for comparison of the signatures of the petitioner herein on the alleged agreement of sale dated 11-10-2003 with the admitted signatures.

With the above observation, the Civil Revision Petition is dismissed. No costs.

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**RAMALINGESWARA RAO, J**

Date: 15-12-2015

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