

THE HON'BLE SRI JUSTICE S.V.BHATT

CIVIL REVISION PETITION No.2909 of 2016

ORDER:

This revision is directed against order dated 04.12.2015 in I.A.No.379 of 2015.

2. The revision petitioner through I.A.No.329 of 2012 prayed for sending the suit promissory note for the opinion of hand writing expert. On 18.10.2012, I.A.No.329 of 2012 was allowed and the petitioner was directed to deposit Rs.10,000/- towards fee payable to the expert. The petitioner did not comply with the condition, thereby, I.A.No.329 of 2012 came to be dismissed. Now petitioner filed I.A.No.379 of 2014 for the very same relief.

3. The trial Court, after noting the fact of dismissal of I.A.No.329 of 2012, dismissed the instant application.

4. After perusing the order impugned in the revision, I am of the view that the very prayer in I.A.No.379 of 2014 is misconceived.

If at all the petitioner is advised, the appropriate remedy is to formalise the condition imposed by the trial Court in I.A.No.329 of 2012.

By granting liberty to obtain appropriate orders in I.A.No.329 of 2012, the instant civil revision petition is dismissed. As and when such effort is made, it is for the trial Court to consider and pass appropriate orders.. As a sequel, the miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

S. V. BHATT, J

June 20, 2016
DSK