

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

CIVIL RIVISION PETITION NO.4845 of 2016

ORDER:

The petitioner has come up with the above revision challenging the dismissal of his application to send certain documents to a handwriting expert.

Heard Mr. Kowturu Pavan Kumar, learned counsel for the petitioner.

The suit was one for recovery of money, based upon a promissory note. The petitioner/defendant made an unsuccessful attempt earlier by filing I.A.No.276 of 2016 seeking to send certified Xerox copy of a document for examination by a handwriting expert. The same was dismissed and the revision filed against the same was withdrawn. Therefore the petitioner filed a fresh application seeking to send certain other documents for examination by a handwriting expert under Section 45 of the Indian Evidence Act, 1872. The trial Court rightly dismissed the same holding that the Court itself can undertake the exercise of comparison of signatures under Section 73. The said view cannot be said to be contrary to law. Therefore the civil revision petition is devoid of merits. Hence it is dismissed. There shall be no order as to costs.

As a sequel, pending miscellaneous petitions if any, shall stand closed.

JUSTICE V. RAMASUBRAMANIAN

21st October, 2016
Js.

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Date: 21-10-2016

Js.