

HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN

Civil Revision Petition No.4626 of 2016

Order:

Aggrieved by the order passed by the Executing Court allowing an application under Section 45 of the Evidence Act, the judgment-debtor is before the Court.

2. Heard Mr. Sreenivasa Rao Velivela, learned counsel for the petitioners.

3. The execution was laid in 2013. The judgment-debtor produced a receipt dated 06-01-2014 as though a payment was made outside the execution. No payment made outside the execution can be recognized by the Executing Court especially during the pendency of the execution proceedings. Contending that the receipt was forged, the decree-holder took out an application for referring the receipt to a Forensic Science Expert. The same has been rightly allowed by the Trial Court, in order to see whether the judgment-debtor has set up a receipt to avoid payment. There is nothing wrong in the order of the Executing Court and therefore the revision is dismissed. The miscellaneous petitions, if any, pending in this revision shall stand closed. No costs.

30th September, 2016.
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V.RAMASUBRAMANIAN, J.

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