

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

C.R.P.No.1334 OF 2011

ORDER:

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This revision is filed against the order, dated 31-01-2011, passed in I.A.No.1144 of 2010 in A.S.No.525 of 2009, wherein the Court below dismissed the application filed by the petitioner/appellant under Section 45 of the Evidence Act praying the Court to send the thumb impression of the respondent No.1 and signatures of the respondents 2 and 3 on a partition deed executed among the respondents themselves on 09-11-2004 from Sub-Registrar Office, Nallapadu, Guntur Rural Mandal for the purpose of sending the same to the hand-writing expert for comparison and opinion.

Heard both sides.

The Court below dismissed the application mainly on the ground that the petitioner already filed I.A.1137 of 2009 in O.S.No.181 of 2005 which was filed for specific performance of agreement of sale, dated 07-05-2001 and said application was dismissed. The petitioner/appellant did not prefer any revision against the said order and it has become final. The petitioner after filing the present appeal in A.S.No.525 of 2009, the present application is filed for the same relief.

It is not in dispute that the petitioner filed I.A.No.1137 of 2009 for the same relief during the pendency of the suit and it is also not in dispute that said order has become final. The petitioner has not pleaded what are the changed circumstances in filing the present application. It is also not brought to my notice what is the infirmity in dismissing the application by the Court below.

In view of the same, I do not see any infirmity in the order passed by the Court below and as such, the revision petition is liable to be dismissed.

Accordingly, the revision petition is dismissed. As a sequel thereto, miscellaneous petitions, if any, pending in this revision, shall stand closed.

A.RAJASHEKER REDDY,J

01-03-2016
nvl

