

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CIVIL REVISION PETITION No.3085 OF 2016

ORDER:

This Civil Revision Petition is filed by the petitioner/defendant challenging the order dated 26.04.2016, passed by the Principal Senior Civil Judge, Nellore, in I.A.No.114 of 2016 in O.S.No.157 of 2007, wherein and whereby the application filed by the defendant under Order 8 Rule 1A read with Section 151 C.P.C, to receive the documents, was dismissed.

Heard Sri K. Venkatesh, learned counsel for the petitioner and none appeared for the respondent.

It is the case of the petitioner-defendant that the respondent-plaintiff filed a suit in O.S.No.157 of 2007 on the file of Principal Senior Civil Judge, Nellore, for recovery of the amount and the petitioner/defendant filed his written statement. It is further stated that when the petitioner was searching for other record, he got secured the documents containing the signatures of respondent-defendant and consequently he filed the same before the Court below along with the impugned I.A and after its hearing the same was dismissed. Hence, the present revision.

As can be seen from the record, the suit is of the year 2007. On earlier occasion, similar application was filed by the petitioner and the same was allowed. However, the handwriting expert has returned the same without rendering any opinion on account of failure to produce any contemporary handwriting of the respondent/plaintiff. Even the second time, the same was returned. This is the third attempt on the part of the petitioner and the petitioner while making an application did not file the admitted signatures of contemporary nature. The explanation sought to be given by the petitioner's counsel is that once the petition is allowed, the admitted signatures would be furnished. After perusal of the record and considering the fact that on two earlier occasions, the petitioner did not take necessary steps and the Court below had come to the conclusion that there are no *bonafides* in the application and the petitioner is only intends to drag the proceedings. It may be noted that the suit is of the year 2007 and the present I.A is filed in the year 2016 that too at the stage of arguments. The findings given by the Court below shows that that the petitioner lacks *bonafides* and cannot be found fault.

Accordingly, the Civil Revision Petition is dismissed. There shall be no order as to costs. Miscellaneous Petitions, if any pending in this revision, shall stand closed.

CHALLA KODANDA RAM,J

Date:01.07.2016.
Gk

THE HON’BLE SRI JUSTICE CHALLA KODANDA RAM

-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-

CIVIL REVISION PETITION No.3085 OF 2016

-
-
-
-
-
-
-
-
-
-
-
-

Date:01.07.2016

Gk

