

HONOURABLE SRI JUSTICE SURESH KUMAR KAIT

CIVIL REVISION PETITION No. 4884 of 2016

ORDER:

This Civil Revision Petition is filed aggrieved by the order dated 06.09.2016 passed in I.A.No.303 of 2016 in O.S.No.734 of 2015 by the learned II Additional Senior Civil Judge (FTC), Guntur.

The petitioner/defendant filed I.A.No.303 of 2016 under Section 45 of the Evidence Act to obtain his signatures in the open Court and send the same along with the suit promissory note, Ex.A.1, dated 11.12.2012 for comparison to the Director, Forensic Laboratory, Red Hills, Hyderabad.

The case of the petitioner, as stated in Ground No. 5 of the Memorandum of Grounds of Civil Revision Petition, is that he has not denied the signature on the alleged promissory note, however, the said promissory note has not been executed in favour of the respondent/plaintiff. If this is the position and as he is not disputing the signature on the promissory note, it is not known for what purpose the signatures of the petitioner/defendant should be sent to Handwriting Expert for opinion. It is further stated therein that the petitioner never executed any promissory note in favour of the respondent/plaintiff, however, he has not denied the signature on the said promissory note. It is to be seen that Expert opinion is required eventually when any of the parties raise dispute

regarding signatures on the alleged document and take stand that the document is forged which he/she has not signed.

In view of the above, I do not see any illegality or irregularity in the order under revision passed by the Court below.

The Civil Revision Petition is accordingly dismissed. Miscellaneous petitions pending consideration if any in the Civil Revision Petition shall stand closed in consequence. No order as to costs.

JUSTICE SURESH KUMAR KAIT

DATED 24th November, 2016.
Msnr_x

