

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

CIVIL REVISION PETITION No. 5469 of 2012

ORDER:

The order dated 21.08.2012 in I.A.No.354 of 2010 in I.A.No.677 of 2009 in O.S.No.133 of 2008, passed by the Principal Junior Civil Judge, Chilakaluripet, is challenged before this Court.

2. As can be seen from the record and as can also significant from the arguments of the learned counsel for the petitioner, I.A.No.677 of 2007 in O.S.No.133 of 2008 came to be filed by the petitioners-defendants seeking the disputed promissory note to be sent to the expert opinion with the admitted signatures of P.Ws.2 and 3, which were taken in the Court. The said I.A. was allowed in terms of the prayer as sought by the petitioners by orders dated 06.11.2009. Thereafter, it appears the forensic expert, to whom the documents have been sent, returned the documents and sought some more documents to assess the variations among the writings / signatures. While allowing I.A.No.677 of 2009, there was a condition imposed for deposit of Rs.6,000/- on or before 12.11.2009, thereafter the same was enlarged to 19.11.2009. Thereafter, in terms of the order in I.A.No.677 of 2009, as the petitioner did not choose to name the expert, the papers were sent to Central Forensic Lab, who appeared to have returned the same on 01.03.2010 with a covering letter that a sum of Rs.5,000/- is to be paid and also with a request to send few more specific writings/signatures preferably on 5 to 7 sheets to enable them to give their opinion. Time was granted to the

petitioners to provide the said documents till 23.06.2010 and thereafter again the matter was adjourned to 21.07.2010, as the petitioners did not comply with the directions of the Court, the I.A. came to be dismissed. Thereafter, I.A.No.354 of 2010 was filed seeking review of the order dated 21.07.2010. It may be noted that the dismissal order dated 21.07.2010 was passed for non-compliance of the Court orders and further it is not the case of the petitioners that there is any error apparent on the face of the record, the Court below had considered the same and finally dismissed the I.A. No.354 of 2010 on 21.08.2012.

3. For the reasons stated in the impugned order, this Court has not seen any reason to interfere with the impugned order as, basically, the provisions invoked itself is not available to the petitioners and it is only on account of some mistake or error apparent on the face of the record, or for any other sufficient reason, if they desire to obtain a review of the decree passed or order made against them, may apply for a review of judgment to the court which passed the decree or made the order.

4. Accordingly, the Civil Revision petition is dismissed. There shall be no order as to costs.

5. Miscellaneous petitions pending, if any, shall also stand dismissed.

CHALLA KODANDA RAM, J

Date:14.09.2017

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