

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

[*Special Original Jurisdiction*]

MONDAY THE TWENTY SEVENTH DAY OF NOVEMBER
TWO THOUSAND AND SEVENTEEN

PRESENT

HONOURABLE Dr. JUSTICE B. SIVA SANKARA RAO

CIVIL REVISION PETITION No. 5360 OF 2017

Between:

Nalluri Venkata Rao ... Petitioner
[Plaintiff/Respondent]

V/s.

Adusumalli Bhagya Lakshmi ... Respondents
[Defendants/Petitioners]

Counsel for the Petitioners : Sri J. Seshagiri Rao

Counsel for the Respondents : Sri Nimmagadda Revathi
Sri Mamidi Srinivasu

The court made the following : [Order follows]

HONOURABLE Dr. JUSTICE B. SIVA SANKARA RAO**CIVIL REVISION PETITION No. 5360 OF 2017****ORDER :**

Heard both sides.

2. Perused the grounds urged in the revision petition and the impugned order of the lower court.

3. From the very wording of Order-VIII, Rule-1 [A] amended C.P.C., without leave of the court filing of the documents could not be received, for if available with the parties since required to be filed as per Order-VIII Rule-1 [A] with the written statement or other pleadings and if in the custody of the other side or any other, such document to be referred in the list appended to the pleadings to state in whose custody it is.

4. Here from the very application, it is stated that some of the documents are the certified copies recently obtained and even some misplaced and recently traced. A perusal of the order dated 13/9/2017 in I.A.No. 1859 of 2017 in the pending suit, OS.No. 1148 of 2016 clearly shows previous document is of March, 2015 and the certified copy of

registered document is of August 2017. These documents since filed with the petition, it is just to receive the same for it is not the case of the respondents that any of the documents are fabricated subsequently to serve the defence or to get over from any of the evidence on record. Having regard to the facts and circumstances, there is nothing on record to interfere but for to impose costs of Rs.1,000/-, since paid in open court.

5. Accordingly, the Civil Revision Petition is by leaving open to raise all the defences available to the petitioners. As held by the Apex Court in **BIPIN SHANTILAL PANCHAL (II) V/s. STATE OF GUJARAT & ANR** ¹. marking of the documents is subject to objection regarding proof, admissibility and relevancy for decision of the Court ultimately. No costs.

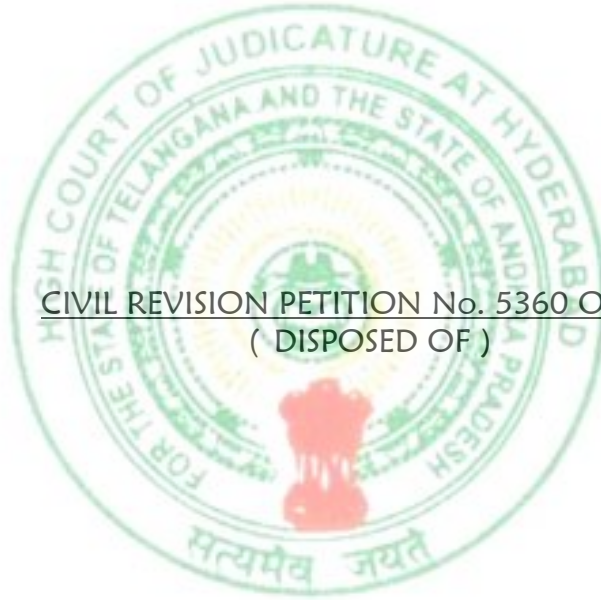
5. As a sequel, miscellaneous petitions if any, pending in this Civil Revision Petition shall stands disposed of.

Dr. JUSTICE B. SIVA SANKARA RAO

27/11/2017
I s L

¹) A.I.R. 2001 - 1158 [S.C.]

HONOURABLE Dr. JUSTICE B. SIVA SANKARA RAO



CIVIL REVISION PETITION No. 5360 OF 2017
(DISPOSED OF)

Date: 27/11/2017
Circulation No. 261
Court Master: I s L