

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

CRP.No.3333 of 2017

O R D E R:

This Civil Revision Petition is filed by the petitioners assailing the order dt.30.06.2017 in I.A.No.204 of 2017 in O.S.No.41 of 2012 of the X Additional District Judge, Narsapur at West Godavari District.

2. Petitioners are defendants 1 to 3, 5 to 7 in the said suit, which was filed by the respondents for recovery of money on the basis of a promissory note executed by the deceased-1st defendant.

3. I.A.No.204 of 2017 was filed by the petitioners to send the suit promissory note to the Hand Writing Expert, A.P. Forensic Science Laboratory along with the admitted signatures of the deceased-1st defendant in his vakalat, written statement, suit summons and registered settlement deed dt.11.7.2013 for comparison with the disputed signatures of the 1st defendant on the suit promissory note dt.05.03.2010.

4. On the ground that the petitioners did not produce undisputed signatures of the deceased-1st defendant for the contemporary period of the year 2010, the Court below dismissed the said I.A., relying on the judgment in **M.A.Sulthan Mohammad v. Suleman Babu**¹. It held that there can be exact comparison and verification of the signatures only if other

¹ 2006(4) ALT 634

documents containing undisputed signatures of contemporary period are made available to the expert.

5. I agree with the reasoning of the Court below. Therefore, I find no error of jurisdiction in the order of the Court below in refusing to send the signature on the suit promissory note to a hand writing expert for comparison.

6. Therefore, this Civil Revision Petition is dismissed. There shall be no order as to costs.

7. Consequently, miscellaneous petitions pending if any shall stand closed.

11th August, 2017.
gra

M.S.RAMACHANDRA RAO, J

