

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

CIVIL REVISION PETITION Nos.6049 and 6073 of 2017

10.11.2017

Between:

Margana Venkateswara Rao

..Petitioner

and

M/s.Presidency Grand, Visakhapatnam and others

..Respondents

Counsel for the petitioner: Mr.N.Pavan Kumar

Counsel for the respondents: Mr.S.V.R.Subrahmanyam

The Court made the following:



COMMON ORDER:

These two Civil Revision Petitions arise out of orders, dated 08.09.2017, in I.A.Nos.835 and 834 of 2017 respectively in O.S.No.282 of 2010 on the file of learned IV Additional District Judge, Visakhapatnam, whereby the Court below has dismissed both the applications filed for reopening the suit and for sending Exs. B-1 to B-5 - cash vouchers to the handwriting expert for his opinion.

2. I have heard the learned counsel for both the parties and perused the record.

3. A perusal of the orders of the Court below shows that in the suit filed by the petitioner for recovery of money, the respondents filed counter-claim in the year 2013 based on Exs.B-1 to B-5. Though the petitioner filed rejoinder to the said counter-claim in the year 2014 disputing the genuineness of the said documents, he has not filed any application for sending those documents to the handwriting expert for his opinion, till after the completion of the trial and posting of the suit for arguments. The Court below has dismissed both the aforementioned applications on the ground that they are filed at a belated stage. Having regard to the admitted facts that the disputed documents were filed as far back as the year 2013 and that the petitioner, having raised the issue of genuineness of the said documents in the year 2014 itself, has not taken any steps to get those documents sent to the handwriting expert for his opinion, this Court is not inclined to show indulgence in favour of the petitioner, who is not diligent.

4. These Civil Revision Petitions are, accordingly, dismissed.

5. As a sequel to dismissal of the Civil Revision Petitions, C.R.P.M.P.Nos.7814 and 7849 of 2017 filed by the petitioner for interim reliefs in C.R.P.Nos.6049 and 6073 of 2017 respectively shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

10th November, 2017

GHN

