

HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

Civil Revision Petition No.5945 of 2017

ORDER:

Aggrieved by the dismissal of his application under Section 45 of the Evidence Act, 1872, the defendant in a suit on a promissory note, has come up with the above revision.

2. Heard Mr. Suresh Kumar Potturi, learned counsel for the revision petitioner.

3. Though it is stated in the written statement of the petitioner that the promissory note is a forged one, there is also a very interesting statement made in para-6 of the written statement that the scribe shown in the promissory note is a native of his village carrying on finance business and that he was behind the creation of the suit promissory note. Therefore, this is not a case for referring the document to the Handwriting Expert. However, the trial Court is obliged under Section 73 of the Evidence Act to satisfy itself and thereafter take a decision.

Hence, the Civil Revision Petition is dismissed. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

V. RAMASUBRAMANIAN, J

Date: 30-11-2017

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