

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY
CIVIL REVISION PETITION No.7078 OF 2017

ORDER:

This revision is filed against the order dated 11-10-2017 in I.A.No.536 of 2017 in O.S.No.100 of 2016, wherein and whereby the petitioner's application under Section 45 of Indian Evidence Act for sending Ex.A.1 promissory note was dismissed.

Learned counsel for the petitioner says that petitioner's admitted signatures are found in mortgage deed executed in the year 2014, which is a contemporaneous document, but the trial Court failed to consider the said aspect before passing the impugned order.

A reading of the affidavit in support of the application in I.A.No.536 of 2017 does not indicate about said document and the trial Court rightly held that the petitioner has not provided admitted signatures and the trial Court held that signatures found on vakalat and written statement cannot be said as contemporaneous signatures of the relevant year 2015 and the petitioner has not taken any such plea in the affidavit filed in support of the said I.A. and it appears to be only after thought of the petitioner. More so, PWs1 to 3 were already examined.

In view of the same, I do not see any reason to interfere with the order of the trial Court and accordingly the revision is dismissed. As a sequel to the disposal of this revision, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

22-12-2017
Nvl



