

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

CIVIL REVISION PETITION No. 6861 of 2017

ORDER:

This application came to be filed under Article 227 of the Constitution of India, aggrieved by the order dated 17.10.2017 passed in I.A.No. 875 of 2017, wherein the petition filed under Section 45 of the Evidence Act, was dismissed on the ground that the petitioner has not produced any contemporaneous registered or unregistered documents, so as to verify the disputed signature with that of the admitted signature.

2. Today, when the matter is taken up for hearing, the learned counsel for the petitioner states that some material has been traced, more particularly, the Mortgage Deed, to establish that the signature of the disputed document does not belong to the petitioner. Hence, pleads that an opportunity may be given to him to produce the same before the trial court, and to direct the trial court to deal with the same by sending the promissory note to the handwriting expert.

3. Taking into consideration the facts and circumstances of the case, this C.R.P is disposed of, permitting the petitioner to file a fresh application basing on the material showing the

contemporaneous signature of the petitioner, in which the trial court shall deal in accordance with law, after hearing all concerned.

JUSTICE C. PRAVEEN KUMAR

08.12.2017
DMG

