

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

CIVIL REVISION PETITION No.1675 OF 2018

Dated:16.03.2018

Between:

Kanchwal Rameshwarlal Sharma,
S/o. Late Sri Nemichand Sharma,
Aged about 65 years, Occ: Advocate,
R/o.H.No.4-5-7, Near Saibaba Temple,
Mahabubabad Village and Mandal,
Warangal District

.. Petitioner

And

Doli Rama Swamy, S/o. Pullaiah,
Aged 70 years, Occ: Agriculture,
R/o. Bestha Bazar, Mahabubabad
Village, Mahabubabad Mandal,
Warangal District

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

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ORDER:

Petitioner is plaintiff. Plaintiff along with others filed O.S.No.30 of 1999 on the file of the Senior Civil Judge, Mahabubabad, seeking specific performance of contract. In the said suit, petitioner filed I.A.No.374 of 2009 under Section 45 of the Indian Evidence Act (for short, 'the Act') to send the disputed documents i.e., Exs.A1 to A4 along with the admitted thumb impression of defendant No.1 and specimen signatures of defendant Nos.3 and 4. The said I.A. was allowed directing the Andhra Pradesh Forensic Science Laboratory (APFSL) to examine the documents. It appears, the APFSL expressed inability to give opinion without sending some more admitted signatures of the concerned persons written in the normal course of business. It appears, no further steps were taken by the plaintiff. The present application in I.A.No.369 of 2016 is filed under Section 45 of the Act praying to grant the same relief, but, this time, to a Truth Lab, Hyderabad seeking expert opinion.

2. Having regard to the earlier orders of the Court in I.A.No.374 of 2009, the trial Court was not inclined to grant the relief sought by the petitioner/plaintiff. Suit is of the year 1999. Earlier application was filed in the year 2009, wherein the relief sought by the plaintiff was granted. Thereafter, no further steps are taken and even assuming that the objection of the APFSL is not valid, eight long years later, the present application is filed.

3. Having regard to these facts, I do not see any error in the order of the trial Court warranting interference by this Court.

4. The Civil Revision Petition is accordingly dismissed. There shall be no order as to costs.

Miscellaneous Petitions, if any, filed in this Civil Revision Petition shall stand closed.

P. NAVEEN RAO, J

Date:16.03.2018

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