

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CIVIL REVISION PETITION No.2868 OF 2018

ORDER:

Heard Sri T. Nataraj, learned counsel for the petitioners.

Learned counsel for the petitioners would submit that the Court below went wrong in making an observation and recording a finding that the document filed labelling it as 'certified copy' does not contain the seal of certification as duly required by the provisions of Section 76 of the Indian Evidence Act, 1872, and photocopy said to have been issued by the Sub-Registrar is inadmissible.

Learned counsel would submit that original signature of the issuing authorities is occurring on the photocopy and there is also seal on the first page of certified copy which issued in the form of photocopy. The said copy is filed with material papers. It is also his submission that opposite party has not objected to, while being received, but, it was the Court which has taken objection at the time of marking it.

A perusal of the photocopy would show that there is seal of the authority concerned i.e., Office of the Sub-Registrar, Secunderabad, and signature of the Sub-Registrar, Secunderabad, though, it is not looking like signature but it is looking like an initial, it cannot be said that it is inadmissible document and if there is any debate as to whether the said document is inadmissible, the Court can deliberate at the final stage of the proceedings.

The present Civil Revision Petition, is, therefore allowed, as no notice is required to be issued at the admission stage itself, directing the Court below to permit the petitioner to mark it and if any objection as regards admissibility is taken by the respondents or the Court entertains the same shall be taken up at the final stage of the proceedings and record a definite finding thereon. There shall be no order as to costs.

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

Dt. 01.05.2018
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A.SHANKAR NARAYANA

