

HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

CIVIL REVISION PETITION No.3312 OF 2018

Date:16.11.2018

Between:

V.Pranav Kumar @ V.Pranav Singh,
S/o. late Prahlad Singh, Hindu
Aged about 44 years, Occ: Advocate,
R/o.D.No.3-1-637, Nimboli Adda,
Kachiguda, Hyderabad.

... Petitioner

Vs.

Sudhamshu Kumar, S/o. late Tuljaram Singh,
Aged about 49 years, Occ: Advocate/Agriculture,
R/o.D.No.3-1-639, Nimboliadda, Kachiguda,
Hyderabad and others

... Respondents

Counsel for Petitioner : Sri P.Raja Sekhar

Counsel for Respondent No.1 : Sri Vedula Srinivas

Gist :

Head Note :

Cases Referred : Nil



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ORDER:

Aggrieved by the order passed by the trial Court allowing an application to receive certified copies of three Will deeds as secondary evidence, the claimant in a reference under Section 30 of the Land Acquisition Act, 1894 (for short 'the Act') has come up with the above revision.

Heard Mr.P.Raja Sekhar, learned counsel for the petitioner and Mr.Vedula Srinivas, learned counsel for the 1st respondent.

The main contention of the learned counsel for the petitioner is that without laying a foundation for filing secondary evidence, especially when Will is not a public document, the 1st respondent was not entitled to mark certified copies of the Will deeds.

But, it appears from the order of the trial Court that the rights of the petitioner are safeguarded. In paragraph 16 of the impugned order, the trial Court has observed that the validity, legality, veracity and probative value of such secondary evidence will certainly be considered at the time of hearing. After all, the matter pending before the trial Court is a reference under Section 30 of the Act limited to the question of apportionment of compensation.

Therefore, leaving it open to the petitioner to raise all objections including the admissibility of such evidence, the Civil Revision Petition is dismissed. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

V. RAMASUBRAMANIAN, J

16th November, 2018
JSU

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