

**THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

**CIVIL REVISION PETITION No.3194 of 2018**

**ORDER:**

I.A.No.94 of 2018 in I.A.No.269 of 2015 in O.S.No.188 of 2012 filed by the petitioner-defendant seeking to summon the Branch Manager, SBI, Guntakal, DRM Office Branch, to produce his signatures of 2010 and to send Ex.A1 to the handwriting expert for comparison of the signatures thereon with the signatures alleged to have been available with the said Bank, was dismissed on 23.04.2018 by the learned Senior Civil Judge, Guntakal, after noting the conduct of the petitioner. Challenging the same, the present Civil Revision Petition is filed.

2) Heard the learned counsel for the petitioner.

3) The facts are not in dispute. Learned Judge had noticed that on earlier occasion, as a matter of fact, I.A.No.269 of 2015 filed by the petitioner, invoking Order XVI Rule 1 and Section 151 of Code of Civil Procedure, to summon the Station Manager, Iranagallu Railway Station, Kurnool District, Station master of Iranagallu Railway Station, the Superintendent, Southern Railway Employees Credit Society, Chennai Station Southern Railways Employees Society, Chennai, with a direction to produce the documents containing the signatures of the petitioner, was allowed on 02.06.2015. However, subsequently, as the petitioner failed to pay the process to issue summons, the said I.A. was closed. Thereafter, once again I.A. No.642 of 2017 came to be filed on 09.11.2017, on behalf of the petitioner, which also came to be dismissed on 09.02.2018, as the petitioner failed to make a mention of the dismissal of I.A.No.269 of 2015 in the affidavit filed along with I.A.No.642 of 2017. Once again, the petitioner came up with the present application seeking to

summon the officials. In the facts of the present case, a perusal of the Written Statement discloses that there are some financial transactions between the petitioner-defendant and the respondent-plaintiff. If there are any *bona fides* on the part of the defendant, having taken the plea in the Written Statement that Ex.A1 document is a forged one, he ought to have taken steps, at the very first instance, to send the same for the expert opinion along with his admitted signatures. Even in the present I.A., the petitioner had not done the same. On the contrary, the petitioner has chosen a circuitous route of summoning the railway officials and bank officials by putting the responsibility on the said officials to produce the admitted documents with his signatures. If the petitioner had *bona fides* in his approach, he being the railway employee, nothing prevented him to produce the admitted signatures at the earliest point of time and seek Ex.A1 document to be sent to forensic expert. In those circumstances, the conclusion arrived at by the learned Senior Civil Judge at Guntakal that the petitioner has filed the I.A. only to drag on the proceedings, cannot be found fault and is justified in all respects.

4) In those circumstances, the Civil Revision Petition, the Civil Revision Petition is devoid of merits and it is accordingly dismissed. No order as to costs.

5) Miscellaneous petitions, if any, pending in this Civil Revision Petition shall stand closed.

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**CHALLA KODANDA RAM, J.**

Date: 15.06.2018.  
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