HON'BLE SRI JUSTICE P.NAVEEN RAO

CIVIL REVISION PETITION NO.3487 OF 2018

Dated: 06.07.2018

Between:

Marneni Rama Rao s/o. Narasimha Rao, Aged about 50 years, Occu: Agriculture, R/o.H.No.1-11-1167, Advocates Colony, Hanamkonda, Warangal Urban District.

.... Petitioner/petitioner/
defendant

And

Borigam Venkateshwarlu, s/o. Rajaiah, Aged about 51 years, Occu: Bank Employee, r/o.H.No.1-7-1589, Srinivasanagar, Balasamudram, Hanamkonda, Warangal.

.... Respondent/petitioner/
Plaintiff

HIGH COURT OF JUDICATURE AT HYDERABAD FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH सत्यमेव जयते

The Court made the following:

HON'BLE SRI JUSTICE P. NAVEEN RAO

CIVIL REVISION PETITION NO.3487 OF 2018

ORDER:

Petitioner is defendant in O.S.No.130 of 2008 pending on the file of Court of II Additional Junior Civil Judge, Warangal. Respondent herein instituted suit in the year 2008 for recovery of hand loan of 40,000/- with interest thereon. Evidence on both sides closed on 29.08.2017. Thereafter, matter underwent several adjournments to enable both sides to make their oral submissions. It appears, arguments were heard and matter is coming up for pronouncement of judgement. At this stage, petitioner herein filed I.A.No.479 of 2018 under Rule 129 of Civil Rules of Practice praying to call for the documents: 1) Chief and cross-examination of PW.1, 2) Chief and cross- examination of DW.1, 3) Handwriting Expert opinion, 4) The original receipts of Exhibits D1 to D3, and 5) Judgement in C.C.No.622 of 2008 on the file of VI Additional Judicial First Class Magistrate at Warangal. According to petitioner, the above stated documents are necessary to prove his innocence in the suit. The above application was contested by plaintiff. On consideration of the rival claims, the trial Court rejected the application. The trial Court noticed that documents, which are now sought to be summoned are from the Court and could have been obtained certified copies of said documents.

2. Reading of the affidavit filed in support of the application, it is seen that no reasons are assigned by the petitioner as to why he could not secure the documents referred to in the application earlier. He has not explained the relevancy of those documents to the issue involved in the suit. Thus, I do not see any error

committed by the trial Court in refusing to accept the application warranting interference by this Court. Civil Revision Petition merits no consideration and is accordingly dismissed. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

Date: 06.07.2018
kkm

HONOURABLE SRI JUSTICE P.NAVEEN RAO

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