

HON'BLE SRI JUSTICE S.V.BHATT

C.R.P. Nos.2619 AND 2621 OF 2011

COMMON ORDER:

Heard Mr.Ramatirtha for petitioner and Mr.Anantha Krishna for respondents.

The defendant in O.S Nos.273 and 274 of 2008 in the Court of Senior Civil Judge, Tadepalligudem, is the revision petitioner in both the CRPs.

The revision petitioner/defendant filed I.A. No.913 of 2010 in O.S. No.273 of 2008 and I.A. No.915 of 2010 in O.S. No.274 of 2008 under Order 13 Rule 10 of the Civil Procedure Code to direct the Company Commander, A company 502 ASC, B. N. Office, C/o 99 APO to produce the document/movement order dated 09.10.2007 before the trial Court to enable to send the same for expert opinion. The trial Court closed the I.As. Hence the CRPs.

The case of petitioner is that he is a military employee. He alleged that the signatures on the suit promissory notes are not of him and that the promissory notes are forged one. To prove that the signatures on the promissory notes are forged, the petitioner through the I.As, sought a direction to Commanding Officer to produce the movement order on which petitioner's signature is available.

The trial Court considered the facts and circumstances of the case, particularly having gone through the Xerox copy of the movement order which is in possession of the revision petitioner, came to the conclusion that there is no mention in the movement

order that the petitioner put his signature in the presence of military official. The trial Court further directed the petitioner to file registered document, if any, containing the signature of the petitioner of relevant period.

I have perused the material available on record. This Court is of the view that the orders impugned in the revisions do not warrant interference under Article 227 of the Constitution of India. The revisions fail and are accordingly dismissed. No order as to costs.

The trial Court considers and disposes of the suits within two months from the date of receipt of a copy of this order.

Miscellaneous petitions pending, if any, shall stand closed.

Date: 05.10.2018
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S.V.BHATT, J