

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CIVIL REVISION PETITION No. 3659 of 2018

ORDER:

In this Civil Revision Petition, petitioner challenges the order, dated 22.12.2017 passed by the learned Senior Civil Judge, Adoni, dismissing I.A.No.1153 of 2017 in O.S.No.302 of 2010, filed by her and respondents 2 and 3 herein/defendants seeking to reject Exs.A.2 and A.3 alleging that they are inadmissible in evidence.

Learned counsel for the petitioner contends that the respondent/plaintiff filed I.A.No.1032 of 2017 with a prayer to condone the delay in filing the documents 1) certified copy of orders of Land Reforms Tribunal, Kurnool, dated 08.07.1996, 2) certified copy of orders in CRP.No.2269 of 1989 and other documents, and the Court below allowed the said I.A and that the Court below without fixing any specific date for marking of the said documents, had casually accepted and marked the same as Exs.A.2 and A.3, though they are not certified copies and thereby, she prays for allowing of the Civil Revision Petition.

Having considered the aforesaid submissions and having perused the material on record, it is to be noted that Exs.A.2 and

A.3 are not certified copies of the orders, but, they are carbon copies of the orders, that too, issued to the parties to the proceedings. There is no dispute that such orders pertain to the land ceiling proceedings. The Court below had taken note of the practice in the Courts that the parties are sometimes given carbon copies of the orders, sometimes typed copies of the orders certifying them as true copies, and sometimes, at the request of the parties, particularly, when an application is made belatedly, certified copies are being provided to them and the fact that the carbon copy of the judgment was furnished to the parties to the proceedings and there is no dispute about the same and there is no much difference between the certified copy and the true copy as long as the same is an authentic copy issued by the Court. Further, though the learned counsel for the petitioner contends that the Court below ought to have fixed a date for marking of the alleged documents, in the facts of the case, it can be seen that the said documents were mentioned in the affidavit-in-chief of respondent No.1 herein and the petitioner's counsel had not raised any objection at that stage and had not reserved any right to raise objections with respect to the marking except endorsing on the chief-affidavit to the effect that 'requesting time for cross-examination'. As the cross-examination is yet to take place, it

would be open for the petitioner to put questions with respect to admissibility of such documents. It is also to be noted that once a document is marked, the same cannot be eschewed especially, when objection was not taken at the stage of its marking. In the circumstances, this Court does not find any error in the order under challenge.

Accordingly, this Civil Revision Petition is dismissed.

Miscellaneous Petitions, if any pending, shall stand dismissed. There shall be no order as to costs.

16th NOVEMBER, 2018.

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CHALLA KODANDA RAM, J

