

**HON'BLE SRI JUSTICE A. SHANKAR NARAYANA**

**CIVIL REVISION PETITION No.6983 OF 2017**

**ORDER:**

Heard Sri A. Ravi Shankar, learned counsel for the revision petitioner.

The present revision is directed against the order dated 12.09.2017, in I.A.No.397 of 2017 in O.S.No.6 of 2013 on the file of the Senior Civil Judge at Rajam.

The aforesaid interlocutory application, under Order XXVI Rule 10-A read with Section 151 of CPC, was filed by the defendant in the said suit requesting to send the receipt, dated 25.03.2017, for opinion of the handwriting expert of Truth Labs, Hyderabad.

The learned Senior Civil Judge, having examined the averments in the petition as well as the counter averments and the arguments advanced by both sides, has recorded that the said receipt was earlier sent to RFSL, Hyderabad, through Court for examination and report, and even report was obtained on the same receipt and, thereafter, when the trial was going on, the defendant again moved the interlocutory application requesting to send the very same receipt to Truth Labs, Hyderabad. It was also observed by the Court below that even the expert, who has given a report, was also cross-examined by the petitioner at length in another suit in O.S.No.49 of 2007, where the pronote was said to have executed by the petitioner, who figured as the

defendant therein also, and on that ground, the Court below has rejected the request dismissing the application.

Though, the learned counsel for the petitioner initially attempted to explain again, but, however, would not dispute the receipt being sent earlier to RFSL, Hyderabad, and the expert being examined in another suit.

Certainly, the petitioner cannot choose that the 'receipt' said to have executed by the opposite party be sent to a particular lab when the report given by the expert of RFSL stood adverse to his case which was at his initiation. Such a request itself would expose the attitude or conduct of the party. There is absolutely no infirmity in the order passed by the Court below.

Hence, the present Civil Revision Petition is dismissed.

Miscellaneous petitions, if any pending in the instant revision, stand closed. No order as to costs.

---

**A. SHANKAR NARAYANA, J**

January 25, 2018  
v v