

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

CRP.No.7432 of 2017

ORDER :

This Revision is filed challenging the order dt.28.10.2017 in I.A.No.504 of 2017 in O.S.No.348 of 2008 on the file of Junior Civil Judge, Vayalpad.

2. By the said order, the Court below allowed the application for sending a Will dt.14.07.2003 to an expert for his opinion at the instance of 1st respondent / plaintiff, subject to production of contemporaneous admitted documents for comparison.

3. The counsel for petitioner contended that no contemporaneous admitted documents exist, and therefore, the impugned order should be set aside.

4. Admittedly, the application was allowed by the Court below subject to production of contemporaneous admitted documents for comparison by the 1st respondent herein. If such document is not available, there is no question of sending the Will in question to the expert.

5. I therefore see no reason to interfere with the impugned order.

6. Accordingly, the Civil Revision Petition is dismissed at the stage of admission. No order as to costs.

7. As a sequel, miscellaneous petitions pending if any in this Civil Revision Petition, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 22.01.2018

Ndr/*

