

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

CIVIL REVISION PETITION No.964 OF 2019

ORDER:

This civil revision petition is filed, under Article 227 of the Constitution of India, by the petitioner, aggrieved by the order, dated 25.03.2019, passed in I.A.No.95 of 2019 in R.C.No.190 of 2008, by the learned I Additional Rent Controller, Hyderabad.

2. Heard Sri Mohammed Adam, learned counsel appearing for the petitioner. In spite of service of notice, there is no representation for the respondent. Perused the material record.

3. The petitioner filed the I.A.No.95 of 2019 in R.C.No.190 of 2008 under Order 11 Rule 14 of C.P.C. read with Section 151 C.P.C. on the file of the learned I Additional Rent Controller, Hyderabad, praying to call for the records, i.e., signature and thumb impressions in respect of the release deed, dated 23.05.2007, *vide* document No.1134/2007 registered with the office of Sub-Registrar, S.R. Nagar, Hyderabad, executed between the family members of the respondent from Sub-Registrar Office, S.R. Nagar, at Hyderabad, for the purpose of comparing the signature of the respondent on the rental receipt, wherein the learned I Additional Rent Controller, Hyderabad, dismissed the said I.A. Aggrieved by the said order, the present civil revision petition is filed.

4. Having regard to the facts and circumstances of the case, this Court is of the opinion that to meet the ends of justice, the

evidence cannot be shut and an opportunity needs to be given to the petitioner and hence, the impugned order is liable to be set aside.

5. Accordingly, the Civil Revision Petition is allowed setting aside the order, dated 25.03.2019 in I.A.No.95 of 2019 in R.C.No.190 of 2008 passed by the learned I Additional Rent Controller, Hyderabad. The learned I Additional Rent Controller, Hyderabad, is directed to call for the records, as prayed by the petitioner, for the purpose of comparing the signature of the respondent on the rental receipt. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

T.AMARNATH GOUD, J

Date: 24th October, 2019

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