

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

Civil Revision Petition No.1115 of 2019

ORDER :

Heard the counsel for petitioner. None appears for respondent.

2. This Civil Revision Petition is filed challenging the order dt.01.04.2019 passed in I.A.No.202 of 2019 in G.W.O.P.No.344 of 2017 on the file of the Judge, Family Court, at Nizamabad, refusing to call for original documents filed in D.V.C.No.26 of 2016 on the file of the Court of the II Additional Judicial Magistrate of First Class, Nizamabad, for marking the same as exhibits at the instance of petitioner herein.

3. The documents in question, though filed in the D.V.C., apparently were not sent to a hand-writing expert at the instance of petitioner, and Criminal M.P.No.973 of 2017 filed by him in the above D.V.C. case was dismissed on 25.09.2015.

4. Nothing prevented the petitioner from taking the said documents from the Court of the II Additional Judicial Magistrate of First Class, Nizamabad, where the D.V.C. is pending and file it in the G.W.O.P.No.344 of 2017 when his turn to lead evidence came after the evidence of P.W.2, examined by respondent, ended on 02.01.2019.

5. Since the petitioner can as well obtain the said documents from the said Court of II Additional Judicial Magistrate of First Class,

Nizamabad and mark it in the G.W.O.P.No.344 of 2017, I am not inclined to grant any relief to petitioner.

6. Therefore, the Civil Revision Petition is dismissed granting liberty to petitioner to secure the said documents from the Court of the II Additional Judicial Magistrate of First Class, Nizamabad and mark them in evidence in the instance case subject to relevancy of admissibility of the said documents, etc. being raised by the respondent.

7. The petitioner is granted one (01) week time from to-day to do so.

8. Accordingly, the Civil Revision Petition fails and it is dismissed. No order as to costs.

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

JUSTICE M.S.RAMACHANDRA RAO

Note : Issue C.C. by tomorrow.

B/o.

Date: 06.06.2019

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