

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Civil Revision Petition No.2005 of 2019

ORDER:

This Civil Revision Petition, under Article 227 of the Constitution of India, is filed by the revision petitioner/defendant, challenging the order, dated 17.07.2019, passed in I.A.No.1667 of 2019 in O.S.No.776 of 2013 on the file of the Chief Judge, City Civil Court, Hyderabad, whereby, the petition filed by the petitioner/defendant under Order XIII Rule 3 of CPC, requesting to reject the documents (Exs.A.2 to A.6), which were marked through D.W.1 on the ground of they are inadmissible, was dismissed.

2. Heard the learned counsel for the revision petitioner/defendant, learned counsel for the respondent/plaintiff, and perused the record.

3. Learned counsel for the revision petitioner/defendant would contend that since the documents (Exs.A.2 to A.6), which are sought to be rejected, are not sufficiently stamped, they cannot be received in evidence, except for collateral purpose, subject to relevancy, binding nature, payment of stamp duty and penalty, if any. The Court below, without advertng to this aspect, was pleased to mark the said documents in evidence and ultimately prayed to set aside the impugned order by allowing the Civil Revision Petition as prayed for.

4. On the other hand, learned counsel for the respondent/plaintiff would contend that the Court below is justified in

passing the impugned order. There is nothing to interfere with the same and ultimately prayed to dismiss the Civil Revision Petition by sustaining the order under challenge.

5. Under these circumstances, the aspects of relevancy, binding nature, payment of stamp duty and penalty if any, in respect of the documents (Exs.A.2 to A.6) are required to be determined by the Court below while considering those documents at the time of delivery of judgment in the subject suit. As far as the impugned order is concerned, there is no perversity in the same.

6. With the above observation, the Civil Revision Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Civil Revision Petition, shall stand closed.

04th December, 2019
Vvr

Dr. SHAMEEM AKTHER, J