

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION No.2422 OF 2019

ORDER:

This revision, under Article 227 of the Constitution of India, is filed by the petitioner aggrieved by the order dated 25.03.2019 passed in I.A.No.192 of 2019 in O.S.No.19 of 2015 by the Principal Senior Civil Judge, Karimnagar, whereby the said suit was reopened for marking of document through an expert.

2. Heard learned counsel for the revision petitioner and perused the record.

3. Learned counsel for the revision petitioner would submit that without there being an application to call the expert to mark the subject document, the Court below granted such a relief. The Court below ought not have granted such relief when the evidence was closed and ultimately prayed to set aside the impugned order.

4. Having examined the contentions raised by both sides, the Court below while allowing the said application permitted the respondent herein to mark the document through an expert.

5. In the given circumstances, the Court below has rightly observed that by allowing the said application the revision petitioner would also get a chance to cross-examine the said witness i.e., expert. Hence, this Court is of the opinion that it is just and necessary to mark the document through an expert. The Court below neither exceeded its jurisdiction nor committed any illegality in passing the impugned order. The revision petition is devoid of merit and is liable to be dismissed.

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

The Miscellaneous Petitions, if any, pending shall stand closed.

Dr. SHAMEEM AKTHER, J

Date: 22.10.2019
ssp

