

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION No.1050 OF 2019

ORDER:

This revision, under Article 227 of the Constitution of India, is filed by the petitioners/defendant Nos.4 and 19 aggrieved by the order dated 18.02.2019 passed in I.A.No.1091 of 2018 in O.S.No.41 of 2013 by the I Additional District Judge, Khammam, whereby the application filed by the revision petitioners/defendant No.4 and 19 under Order 13 Rule 3 of CPC to reject and de-exhibit Ex.A1 as inadmissible document was dismissed.

2. Heard learned counsel for the revision petitioners/defendant No.4 and 19 and perused the record.

3. Learned counsel for the revision petitioners/defendant No.4 and 19 would submit that Ex.A1 is a forged and fabricated document and it was wrongly impounded by the Court. Therefore, the Court below ought not have marked the same and ultimately, prayed to set aside the impugned order and allow the civil revision petition as prayed for.

4. The material placed on record reveals that *vide* order dated 09.10.2015 in I.A.No.885 of 2015, Ex.A1 was impounded by the Court. It cannot be said that the Court has no power to impound the document. Further, whether the document is forged or fabricated, it is required to be adjudicated after letting due evidence. Further, there was no objection when Ex.A1 was marked. Under these circumstances, there is no legal infirmity in the impugned order. The Civil Revision Petition is devoid of merit and is liable to be dismissed.

5. In the result, the Civil Revision Petition is dismissed.

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

No costs.

Dr. SHAMEEM AKTHER, J

Date: 27.01.2020
ssp

