

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CIVIL REVISION PETITION No. 2301 OF 2019

ORDER:

This Civil Revision Petition is filed questioning the common order, dated 25.03.2019, passed by the learned Principal Senior Civil Judge, Karimnagar, allowing I.A.Nos.194 and 195 of 2019 in O.S.No.20 of 2015 filed by the respondent herein under Order XVIII Rule 17 C.P.C. read with Section 151 C.P.C. to reopen the case and to recall D.W.1 for marking the expert opinion.

In the facts of the present case, there is no necessity for this Court to issue notice to the respondent.

The petitioner-plaintiff filed the above said suit against the respondent-defendant for recovery of money based on a promissory note. However, as per the orders of the learned Principal Senior Civil Judge, when the said document was sent for expert's opinion, the respondent-defendant filed the above said I.As., for reopening the case and for recalling D.W.1 for marking the expert opinion. The learned Senior Civil Judge, while allowing the Applications, was cautious enough in observing that since D.W.1 not being the author of the expert opinion, the same can be marked through the expert. In other words, the learned Senior Civil Judge had followed the provisions of law and ensured that the document is marked only through a proper person. Therefore, this Court is of the opinion that there is no irregularity and illegality in the order under revision.

Hence, the Civil Revision Petition is dismissed.

Consequently, miscellaneous applications, if any shall stand dismissed. There shall be no order as to costs.

CHALLA KODANDA RAM, J

Dt:31.01.2019

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