

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**FRIDAY, THE THIRTY FIRST DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE P.SAM KOSHY

CIVIL REVISION PETITION NO: 2726 OF 2025

Petition Under Article 227 constitution of India, against the Order dated 09.06.2025 in IA No.320 of 2024, in OS No. 373 of 2016, on the file of the Court of the XI Junior Civil Judge, City Civil Court at Secunderabad.

Between:

S.Ramesh Babu, S/o. Late Rangaiah, Aged. 66 years, Occ. Business, R/o. H.No.1-1-79, Bhagyanagar Apartments, RTC Crossroads. Hyderabad -500 020.

...Petitioner

AND

Sri.J.Murlidhar, S/o. J.Krishnamurthy, Aged. 51 years, Occ. Business, R/o. H.No.11-1-853, Chinta Baavii, Chilkaiguda, Secunderabad -61.

...Respondent

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay all further proceeding in O.S.No.373 of 2016 pending on the file of Court of the XI Junior Civil Judge, City Civil Courts, at Secunderabad pending disposal of main CRP.

Counsel for the Petitioner(s): Sri. Sridhar Lendalay

Counsel for the Respondents: Sri M.Ajay Kumar learned Counsel represented Ms. Majji Triveni.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE P.SAM KOSHY

CIVIL REVISION PETITION No.2726 of 2025

ORDER:

Heard Mr. Sridhar Lendalay, learned counsel for the petitioner; and Mr. M. Ajay Kumar, learned counsel representing Ms. Majji Triveni, learned counsel for the respondent.

2. The instant Civil Revision Petition under Article 227 of the Constitution of India has been filed by the petitioner assailing the order dated 09.06.2025, in I.A.No.320 of 2024 in O.S.No.373 of 2016, passed by the XI Junior Civil Judge, City Civil Court at Secunderabad.

3. *Vide* the impugned order, the Trial Court dismissed the aforesaid I.A.No.320 of 2024 filed by the petitioner under Section 45 of the Indian Evidence Act seeking to send eleven cheques along with admitted signatures of the respondent i.e. Vakalat, Written Statement and Chief Evidence Affidavit to the Forensic Science Laboratory for its opinion with regard to the signatures thereon.

4. Perusal of the pleadings and upon hearing the submissions made by the learned counsel for the petitioner, it has been found that reference of the eleven cheques is not there in the plaint which was filed as early as in the year 2016. The reference of these eleven cheques is neither there in the evidence of the petitioner when the petitioner's witness was examined. The petitioner has introduced these eleven cheques for the first time in the course of the respondent's evidence and the respondent has denied issuance of those cheques. It is at this juncture that the petitioner has sought for sending the signatures for opinion of the Forensic Science Laboratory.

5. This Court is of the considered opinion that the view taken by the Trial Court cannot be found fault with for the reason that the case of the petitioner never was basing upon those cheques, and the petitioner in the course of his evidence did not make any reference in respect of these eleven cheques. Neither is there any reference in the plaint that was filed by the petitioner. In the absence of the material facts, the petitioner cannot be permitted to introduce new grounds and defence without there being any

pleadings at the first instance and also when the petitioner himself not giving any evidence in this regard.

6. The instant Civil Revision Petition thus fails, and is accordingly, rejected.

7. As a sequel, miscellaneous petitions pending if any, shall stand closed. However, there shall be no order as to costs.

**SD/- G.JYOTHI
ASSISTANT REGISTRAR**



//TRUE COPY//

SECTION OFFICER

To,

1. The XI Junior Civil Judge, City Civil Courts, at Secunderabad .
2. One CC to Sri. Sridhar Lendalay, Advocate [OPUC]
3. One CC to Sri. Majji Triveni, Advocate [OPUC]
4. Two CD Copies.

 YJR /PSL

HIGH COURT

DATED:31/10/2025

ORDER

CRP.No.2726 of 2025



CIVIL REVISION PETITION IS REJECTED.

GMT
19/11/25