

APHC010465402017



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI**

THURSDAY, THE NINETEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

CIVIL REVISION PETITION NO: 9 OF 2017

Between:

1. Pinneboina Narayanamma, S/o Chennaiah, Age: 55 Years, Occ: House Wife, R/o Nehru Nagar, Macherla Town, Guntur District.

...Petitioner

AND

1. Podila Anjaiah, S/o Polu Raju, Age: 34, Hindu, Occ: business, R/o Nehru Nagar, Macherla Town, Guntur District.

...Respondent

Petition under Article 227 of the Constitution of India, praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to against the orders of the Senior Civil Judge, Gurazala passed in I.A. No.844 of 2016 in OS No.227 of 2013 dt.08-12-2016

IA NO: 1 OF 2017(CRPMP 11 OF 2017)

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 proceedings in O.S.No.227 of 2013 on the file of Senior Civil Judge, Gurazala, pending revision in this court, in the interest of justice.

IA NO: 1 OF 2023

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 extend the Interim Orders dt.05.01.2017 passed in CRP.No.9 of 2017 on the file of this Hon'ble Court, pending disposal of the Civil Revision Petition and pass

IA NO: 2 OF 2023

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 order serving of summons on the Respondent by substituted service by way of Publication in News Paper and pass

Counsel for the Petitioner: N CHANDRA SEKHAR REDDY

Counsel for the Respondent:

The Court made the following order:

HON'BLE SRI JUSTICE MAHESWARA RAO KUNCHEAM**C.R.P.No.9 OF 2017****ORDER:**

When the matter is taken up for hearing, the learned counsel for the petitioner Sri N.Chandra Sekhar Reddy, submits that the present civil revision petition is filed in the year 2017 challenging the orders dated 08.12.2016 in I.A.No.844 of 2016 in O.S.No.227 of 2013 on the file of Senior Civil Judge Court, Gurazala.

2. Wherein the petitioner, who is defendant in the suit, filed I.A. under Order XXVI Rule 10-A CPC seeking to send the suit promissory note (Ex.A1) to the Finger Print Expert of Forensic Science Laboratory, Hyderabad, for the purpose of scientific comparison of the admitted thumb marks of the petitioner/defendant.

3. The said I.A. was dismissed by the learned trial Judge. Hence, the same was challenged before this Court under Article 227 of Constitution of India in the year 2017.

4. As an interim measure, this Court granted interim stay. Thus, the matter is pending from the year 2017 to 2026.

5. The learned counsel for the petitioner Sri N.Chandra Sekhar Reddy, fairly submits that in spite of service of notices to the concerned vide USR No.64159/2024 dated 25.07.2024, none

appeared for respondent/plaintiff. In view of afflux of time, he sought permission to withdraw I.A.No.844 of 2016 filed under Order XXVI Rule 10-A CPC. However, with a liberty to raise all his grounds before the trial Court including to raise his assertions under Section 73 of Indian Evidence Act(Section 72 of Bharatiya Sakshya Adhiniyam, 2023).

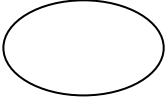
6. In view of submissions made by the learned counsel for the petitioner coupled with the fact that instant revision petition was filed under Article 227 of Constitution of India, to put quietus to the litigation, this Court is inclined to dispose of the present revision petition with the observation that the petitioner is permitted to raise all his legal submissions under Section 73 of Indian Evidence Act (Section 72 of Bharatiya Sakshya Adhiniyam, 2023) before the learned trial Court.

7. The Civil Revision Petition is disposed of with the above observation.

There shall be no order as to costs. Miscellaneous petitions pending if any, shall stand closed.

MAHESWARA RAO KUNCHEAM, J

Date:19.02.2026
Rns



THE HON'BLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

C.R.P.No.9 of 2017

Date:19.02.2026

Rns