
(1997) 03 AP CK 0081

In the Andhra Pradesh High Court

Case No : Civil Revision Petition No. 451 of 1997

Sunitha Talwar and Another

APPELLANT

Vs

Vijaya Bank, Somajiguda Branch

RESPONDENT

Date of Decision : 19-03-1997

Acts Referred:

Andhra Pradesh Civil Rules of Practice and Circular Orders, 1990 — Rule 20(4)

Citation : (1997) 2 ALT 810 : (1997) 2 APLJ 247

Hon'ble Judges : Krishna Saran Shrivastav, J

Bench : Single Bench

Advocate : P.S. Narayana, for the Appellant; C. Trivikrama Rao, for the Respondent

Judgement

Krishna Saran Shrivastav, J.—The respondent Bank had filed a suit for recovery of loan amount. The petitioners/defendants had submitted their written statement. Thereafter they filed an application for a direction to the respondent/plaintiff Bank for furnishing copies of documents as mentioned in the list filed along with the plaint. On the strength of Rule 20 (4) of the Civil Rules of Practice this application has been filed to supply copies of documents. The lower Court rejected the application on the ground that the petitioners/defendants had already been furnished with the copies of the plaint and also a list of documents along with copies of documents. If the documents had not been furnished to the petitioners/defendants they would have filed a petition at an earlier stage.

2. It is contended on behalf of the petitioners/defendants that the respondent Bank has not claimed in answer to the Memo that copies of the documents had already been supplied to the petitioners/defendants.

3. It is not disputed before me that no application has been filed by the petitioners for supply of documents as per Rule 20(4) of the A.P. Civil Rules of Practice. It is a disputed question of fact whether the copies of documents filed along with the plaint as per list filed under Rule- 16 of the A.P. Civil Rules of Practice have been supplied to the petitioners or not. This controversy cannot be

decided here.

4. For the foregoing reasons, the petitioners/defendants are directed to file an application specifically mentioning what are the documents which have been filed alongwith the plaint and what are the documents copies of which have not been supplied to them. After obtaining the counter of the respondent Bank the Trial Court would decide whether the documents are to be supplied to the defendants/petitioners or supplying the copies of the documents may be dispensed with.

5. The Revision petition is thus finally disposed of. No exists.