

OFFICE OF THE PRINCIPAL DISTRICT JUDGE:: KURNOOL

Dis.No. 60444 /Estt/2023

dated 23-09-2023

Copy of Order, dated 18-07-2023 passed by the Hon'ble Supreme Court of India, New Delhi in SLP (C) No.10427 of 2023, is communicated herewith.

All the Judicial Officers working in Kurnool District are requested to download the Copy of Order, dated 18-07-2023 passed by the Hon'ble Supreme Court of India, New Delhi in SLP (C) No. 10427 of 2023, for information and necessary action from the District Court website i.e., <https://www.ecourts.gov.in/Kurnool>.

All the Judicial Officers are requested to submit the compliance report after downloading the above copy to this Court.

*Johniam*  
PRINCIPAL DISTRICT JUDGE,  
KURNOOL.

To,

All the Judicial Officers in Kurnool District.

The Secretary, District Legal Services Authority, Kurnool.

The Superintendent (Accounts), Principal District Court, Kurnool.

The Bench Clerk (Civil), Principal District Court, Kurnool.

The System Officer, District Court, Kurnool, with a direction to upload the same in the District Court's Official website.

# HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

**SPECIAL LEAVE PETITION (CIVIL) NO. 10427 OF 2023**

(On the file of the Hon'ble Supreme Court of India, New Delhi)

AGAINST

**CRP NO. 1559 OF 2022**

(on the file of the High Court of A.P, at Amaravati)

T&P.S.C. COMMUNICATION NO.86/2023

Dt: 16.09.2023

I am to Communicate the copy of the order **dated.18.07.2023** passed by the Hon'ble Supreme Court of India, New Delhi in **SLP (C.) No.10427 of 2023** for your information and necessary action.

*U. Md*  
*16/9/23*  
**ASSISTANT REGISTRAR**

**TO**

- 1.The Principal District & Sessions Judge, District Court Complex, Kurnool District, Andhra Pradesh.
- 2.The Registrar(Judicial), High Court of Telangana, At Hyderabad.

*23/5*  
*R/o 7657*  
*23/9/23*

All Communications Should be Addressed  
to Registrar by Designation and not by  
Name.  
Pin Code - 110001

**Delivery Mode: Registered**

D. No. 19556/2023 /SEC-XII-A  
SUPREME COURT OF INDIA  
NEW DELHI  
26th July, 2023

**From:**

The Assistant Registrar,  
Supreme Court of India, New Delhi.

**To,**

The Registrar,  
HIGH COURT OF ANDHRA PRADESH  
AT AMRAVATI, ANDHRA PRADESH ,  
DISTRICT- HYDERABAD, ANDHRA  
PRADESH  
(PROCESS ID:142802/2023)  
( SLP(C) NO.10427 / 2023 / XII-A )

86  
2023

**SPECIAL LEAVE PETITION (CIVIL) No. 10427 OF 2023**

(From the Judgment and Order dated 21st February, 2023 of the HIGH COURT OF  
ANDHRA PRADESH AT AMRAVATI, in CRP No. 1559 of 2022)

MIRZA SADIQ ALI BAIG

... Petitioner(s)/Appellant(s)

VERSUS

JAMSHEED BEGUM AND OTHERS

... Respondent(s)

**Sir,**

I am directed to forward herewith for your information and necessary action a  
certified copy of Record of Proceedings dated **18th July, 2023** of this Court in the matter  
above mentioned along with complete cause title.

Please acknowledge receipt.

Yours faithfully,

ASSISTANT REGISTRAR

Copy to :-

1 MR. K.PARAMESHWAR (ADV.)  
108,TOWER 12, SUPREME ENCLAVE, MAYUR VIHAR PHASE I, NEW DELHI-  
110091  
NEW DELHI , DELHI

ASSISTANT REGISTRAR

received on 10-8-2023

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 10427/2023

(Arising out of impugned final judgment and order dated 21-02-2023 in CRP No. 1559/2022 passed by the High Court Of Andhra Pradesh At Amravati)

MIRZA SADIQ ALI BAIG

Petitioner(s)

VERSUS

177668

JAMSHEED BEGUM &amp; ORS.

Respondent(s)

(IA No.102323/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.102324/2023-EXEMPTION FROM FILING O.T. )

Date : 18-07-2023 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE C.T. RAVIKUMAR  
HON'BLE MR. JUSTICE SANJAY KUMAR

For Petitioner(s) Mr. K.pameshwar, AOR  
Ms. Arti Gupta, Adv.  
Ms. Kanti, Adv.

Certified to be true copy  
*[Signature]*  
Assistant Registrar  
Supreme Court of India  
18/07/2023

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

Issue notice, returnable in six weeks.

Petitioner is also permitted to serve the counsel, who appeared for the respondent herein in the Trial Court.

In the meanwhile there shall be an interim stay on the order dated 21.2.2023 passed by the High Court in CRP No. 1559/2022 till the next date of listing.

*[Signature]*  
18-7-23  
(DR. NAVEEN RAWAL)  
ASTT. REGISTRAR-cum-PS

*[Signature]*  
18/07/2023  
(MATHEW ABRAHAM)  
COURT MASTER (NSH)

*[Signature]*  
18/7

Notice, cc  
*[Signature]*  
19.7.23

IN THE SUPREME COURT OF INDIA  
(Order XXI Rule 3 (1) (a))  
CIVIL APPELLATE JURISDICTION  
SPECIAL LEAVE PETITION  
(Under Article 136 of the Constitution of India)  
SPECIAL LEAVE PETITION (C) NO. \_\_\_\_\_ OF 2023  
(WITH PRAYER FOR INTERIM RELIEF)

BETWEEN:

## POSITION OF PARTIES

High Court      Supreme Court

Mirza Sadiq Ali Baig,  
S/o late Mirza Khasim Ali Baig,  
R/o. H.No.17-67-1A, Khadakpura,  
Kurnool District Andhra Pradesh.

Respondent    Petitioner  
No.1

AND

- |    |  |                    |                                  |
|----|--|--------------------|----------------------------------|
| 1. | Jamsheed Begum,<br>W/o late Mirzagaffar Ali Baig,<br>R/o H.No.15-140, Khadakpura Street,<br>Kurnool District, Andhra Pradesh.          | Petitioner<br>No.1 | Contesting<br>Respondent<br>No.1 |
| 2. | Hanifa Begum,<br>W/o late G.Noor Ahamed,<br>R/o H.No.56/64, Fort, KHanderi Street,<br>Kurnool District, Andhra Pradesh.                | Petitioner<br>No.2 | Contesting<br>Respondent<br>No.2 |
| 3. | Zubeda Begum,<br>W/o D.Khaleel Ahmed,<br>R/o. H.No.44-71-3, Rooja Street,<br>Kurnool District, Andhra Pradesh.                         | Petitioner<br>No.3 | Contesting<br>Respondent<br>No.3 |
| 4. | Hamida Begum,<br>W/o S.Hussain Basha,<br>R/o. H.No.15/164, Khadakpura Street,<br>Kurnool District, Andhra Pradesh.                     | Petitioner<br>No.4 | Contesting<br>Respondent<br>No.4 |
| 5. | Wahida Begum,<br>W/o Khaleel Ahamed,<br>R/o H.No.10/67, Masoom Basha Dargah Street,<br>Kurnool District, Andhra Pradesh.               | Petitioner<br>No.5 | Contesting<br>Respondent<br>No.5 |
| 6. | Frida Begum<br>W/o Md. Jameel Ahmed,<br>R/o. H.No.1-8-502/1,<br>Vikhar Nagar, Pattigadda,<br>Opp. Airport, Secunderabad,<br>Telangana. | Petitioner<br>No.6 | Contesting<br>Respondent<br>No.6 |

7.	S.Farzana Begum, D/o late Mirza khasim Ali Baig, R/o H.No.141/265-B1, Kothapeta, Kurnool District, Andhra Pradesh.	Petitioner No.7	Contesting Respondent No.7
8.	M.Mahaboob Basha, S/o M.Lal Basha, R/o H.No.40/37-L8, Near Balaji Hotel, Kurnool District, Andhra Pradesh.	Respondent No.2	Proforma Respondent No.8

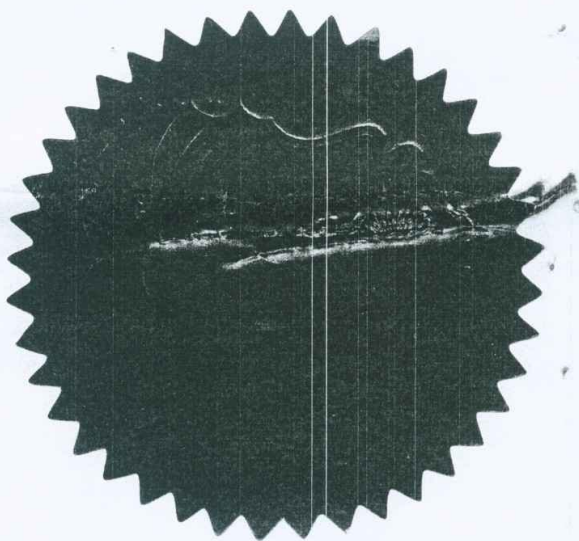
TO,  
THE HON'BLE CHIEF JUSTICE OF INDIA  
AND HIS HON'BLE COMPANION JUSTICES OF THE  
HON'BLE SUPREME COURT OF INDIA  
THE SPECIAL LEAVE PETITION OF  
THE PETITIONER ABOVE NAMED

**MOST RESPECTFULLY SHOWETH**

1. The Petitioner above named respectfully submits this petition seeking Special Leave to Appeal against the impugned judgment and final order dated 21.02.2023 passed by the Hon'ble High Court of Andhra Pradesh at Amaravati in C.R.P No.1559 of 2022, whereby the High Court erroneously allowed the application filed by the respondents herein.

**2. QUESTIONS OF LAW:**

- 2.1 Whether an admitted document by the parties be referred to a handwriting expert under Section 45 of the Evidence Act, 1872 in exercise of revisional jurisdiction by the High Court?
- 2.2 Whether the Impugned Order was right in exercising its revisional jurisdiction which is in the nature of supervisory jurisdiction when there the Trial Court has exercised its discretion correctly and no error or illegality has been found out in order of the Trial Court?
- 2.3 Whether the Impugned Order was right in not appreciating that once a document is admitted by all the contesting parties, there is no need for referring it for an expert's opinion under Section 45 of the Evidence Act, 1872?
- 2.4 Whether the Impugned Order was right in not taking into consideration that an expert opinion would not be required in the presence of a



S

SEALED IN MY PRESENCE