

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

Date of decision:13.01.2015

Pardeep Kumar Sarin

.....Petitioner

v.

Sarita Bakshi and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Ashwani Gaur,Advocate for the petitioner

Jaswant Singh,J.(Oral)

Defendant/petitioner is in revision assailing the order dated 27.11.2014 (P-8) passed by learned Civil Judge (Junior Division) Sonipat whereby his application for restraining Clerk from the post office to produce the admitted signatures of his deceased father Dharam Parkash Sarin for comparison on the Will Ex.D1 propounded by him, has been dismissed. Plaintiffs/respondents have alleged that the signatures are forged and fake.

The dispute is between a sister and legal representatives of another sister on the one hand and defendant brother on the other qua the residential house left behind by their father- Dharam Parkash Sarin. Plaintiffs sisters claimed their share on the basis of inheritance whereas defendant son/petitioner has propounded a Will Ex.D1.

It is apparent that the plaintiffs had moved an application on 13.8.2014 (P-3) for comparing the signatures of their father with his

signatures on a letter Mark-C placed on record and the same was allowed vide order dated 27.8.2014 (P-5) passed by the learned trial Court. However, on a subsequent date, official from the Post Office was summoned and the original record from the Post Officer containing admitted signatures of their deceased father was taken on record for comparison by the Handwriting Expert. At that stage, defendant moved the application which has been dismissed.

Having heard learned counsel for the petitioner/defendant this Court finds no ground to interfere with the impugned order since it is not in dispute that the said Dharam Parkash Sarin had an account with Post Office and thus, a comparison of his admitted and specimen signatures from that record would cause no prejudice to the petitioner/defendant since the effort of the Court is to elicit the truth and the defendant to contest on merits of the case.

In view of the above, present revision petition stands dismissed.

13.01.2015
joshi

(Jaswant Singh)
Judge