

*IN THE HIGH COURT FOR THE STATES OF PUNJAB  
AND HARYANA AT CHANDIGARH.*

CR 2543 of 2015

Date of decision:- 10.4.2015

Sikhpal Kaur

Petitioner

vs.

State of Punjab and others

Respondent

Present: Mr. AP Kaushal and Novjot Singh, Advocates.

**M.M.S.BEDI,J.**

The petitioner has filed a suit for a declaration to the effect that she is eligible and entitled to the appointment as Anaganwari Worker in place of defendant No.6, appointed by defendants 1 to 5 in an illegal manner. During the process of leading of evidence, the defendant-respondents 1 to 5 had relied upon resolution Ex. D4 dated 6.3.2007. The grievance of the petitioner-plaintiff is that the document Ex.D4 is a fabricated document by tampering with Exs.P1 and P2.

It is claimed that the defendants 1 to 5 have removed the original resolution and incorporated a fake Resolution Ex. D 4. In order to establish this, an application for comparison of documents Ex. P1 and P2 with Ex. D-4, has been filed, which was dismissed inter alia on the ground that Exs. P1 and P2 are photocopies and that no expert opinion can be given on photostat documents.

I have heard counsel for the petitioner, who has vehemently urged that great prejudice will be caused to the petitioner in case the petitioner is not permitted to question the validity of the document Ex.D4, which is a fake resolution by comparison of the same with Exs. P1 and P2.

I have gone through the facts and circumstances of the case ,

the plaint and the nature of the controversy involved in the case. The authenticity, relevance and admissibility of document Ex. D4 appears to be not the subject matter of the suit. The question regarding authenticity regarding Ex.D4 is not the fact in issue for the adjudication of the claim of the plaintiff- petitioner as is apparent from the minute reading of the copy of the plaint.

No ground is made out for interference in the impugned order. However, it is observed that it will always be open to the plaintiff- petitioner to question the admissibility, relevance and authenticity of document Ex.D4 by producing oral as well as documentary evidence but the circumstances do not warrant the comparison of the said document with the other documents.

With the above observations, the revision petition is disposed of without prejudice to the right of the petitioner to establish that the document Ex.D4 is not a genuine document and is not worthy of credence.

April 10 ,2015  
TSM

( M.M.S.BEDI )  
JUDGE