

In the High Court of Punjab and Haryana at Chandigarh

**Civil Revision No. 4861 of 2015
Date of Decision: 04.8.2015.**

Gujar Mal (deceased) through LR

.....Petitioner

Versus

Kuldeep Malik and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Sudhir Aggarwal, Advocate
for the petitioner.

SABINA, J.

Petitioner has filed this petition under Article 227 of Constitution of India challenging the order dated 09.7.2015 (Annexure P-5) whereby application moved by the petitioner for permission to take photographs of the disputed signatures of defendants Kuldeep Malik and Ashok Kumar for comparison, was dismissed.

Learned counsel for the petitioner has submitted that it is very necessary in the interest of justice to examine the signatures of defendants No. 15 and 16 on the application moved by them for demarcation of the suit land as well as on the warrant of possession.

Learned Trial Court rightly dismissed the application moved by the petitioner seeking permission to take photographs of the disputed signatures of defendants No. 15 and 16 on the application for demarcation as well as warrant of possession by

summoning the case files as the same had been moved at a belated stage. Petitioner has filed suit for permanent injunction but has filed the application in question when the case was listed for rebuttal evidence of the petitioner. At this stage of rebuttal evidence, petitioner could not be permitted to lead evidence which he was required to lead while leading his evidence in the affirmative.

No ground for interference by this Court is made out.

Dismissed.

**(SABINA)
JUDGE**

August 04, 2015
Gurpreet