

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No. 5295 of 2015 (O/M)
Date of decision : 19.8.2015

Harbhajan Singh through LRs

..... Revisionists

Versus

M/s R.K. Enterprises and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. B.D. Sharma, Advocate, for the revisionists.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH, J. (ORAL)

Impugned in the present revision is the order dated 28.7.2015 (Annexure-P-4), passed by the learned Civil Judge (Junior Division), Amritsar, vide which the application of the plaintiffs/revisionists to examine Shri Sanjiv Sharma, handwriting and fingerprint expert in rebuttal evidence, was dismissed.

Briefly stated, the plaintiffs/revisionists, who are the legal heirs of Harbhajan Singh (deceased), have filed a suit for recovery of Rs. 6,00,000/-. The issues were accordingly framed. The burden to prove the recovery was on the plaintiffs/revisionists. It is claimed

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that in the evidence of the defendants, a handwriting and fingerprint expert has been examined. Therefore, to rebut the said evidence, the plaintiffs/revisionists want to examine the handwriting and fingerprint expert.

I am of the view that there is no such issue, on which rebuttal evidence could be led. If handwriting and fingerprint expert has been examined by defendant, his evidence could be impeached during cross examination. If at all, the plaintiffs/revisionists wanted to examine the handwriting and fingerprint expert, the said evidence was required to be led in affirmative and not in rebuttal. There is no ground to interfere with the impugned order.

The present revision is accordingly dismissed.

(KULDIP SINGH)
JUDGE

19.8.2015
sjks