

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Civil Revision No.6377 of 2014

Date of decision: 13.10.2015

Mohan Singh

.....Petitioner

versus

Gurjit Singh

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Nitish Garg, Advocate (Legal Aid Counsel)
for the petitioner

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

Impugned in the present revision is the order dated 30.7.2014 (Annexure P3), passed by the learned Additional Civil Judge, Senior Division, Fatehgarh Sahib, vide which, the defendant was directed to furnish his specimen handwriting / signatures in the Court.

I have heard learned counsel for the petitioner and have also carefully gone through the file.

It comes out that the plaintiff has filed a suit for possession by way of specific performance on the basis of agreement to sell dated 27.7.2006. In the written statement, defendant claims that the agreement is forged and fabricated. He examined an expert who compared his signatures on the agreement with the signatures on the

power of attorney and the written statement. Thereafter, the plaintiff filed the present application, which was allowed.

I am of the view that the defendant was aware of the fact that the agreement is being alleged by the plaintiff, therefore, he could conceal his real signatures on the power of attorney and written statement, which could lead wrong opinion by the expert. Therefore, the order of the lower Court, directing the defendant to come in person in Court, to furnish the specimen handwriting / signatures, cannot be called unjustified.

As such, the present revision is dismissed. However, keeping in view the fact that the case is already five years old, the lower Court is directed to dispose of the same expeditiously but not later than six months.

13.10.2015
gk

(Kuldip Singh)
Judge