

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

CR No.7619 of 2015
Decided on :16.11.2015

Asha Rani

.... Petitioner

vs.

Vinod Kumar & anr.

.... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. M.K.Bhatnagar, Advocate
for the petitioner.

Arun Palli, J.(Oral)

Vide order dated 16.10.2015, rendered by Rent Controller, Amritsar, application moved by the petitioner-landlord for leading additional evidence has since been dismissed. The conclusion arrived at reads as thus:

"Perusal of the file shows that the defendant has already examined handwriting expert to prove the fact that the signatures on the rent note are not of Ramesh Kumar and that handwriting expert was cross-examined by the plaintiff in detail with the assistance of his own handwriting expert which means that the plaintiff got every opportunity to get the true facts out of the mouth of the expert witness of the defendant and there is no need to examine any further expert witness by the applicant.

Moreover, the defendant is denying his signatures on the rent note from the very initial stage and no new fact has come in the knowledge of the plaintiff for which an application to lead additional evidence can be allowed at this stage when evidence of the defendant had already been closed. As such

***finding no merit in the present application,
same is hereby dismissed and disposed of."***

Ex facie, vide an additional evidence, the petitioner seeks to examine a handwriting expert to prove signatures of Ramesh Kumar on the rent note. Concededly, respondent – Ramesh Kumar had denied his signatures on the alleged rent note from the very beginning. Thus, the petitioner was fully conscious that to prove the execution of the said document, what was/is the appropriate evidence to be lead. And, of course the stage at which it was required to be adduced. In any case, handwriting expert examined by the respondent was duly cross-examined by the petitioner with the assistance of her own handwriting expert. And now, when the defendant has already closed his evidence, petitioner cannot be permitted to examine an expert by way of additional evidence.

No ground to interfere is made out in the exercise of revisional jurisdiction.

The present revision petition stands dismissed.

16.11.2015
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(Arun Palli)
Judge