

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
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C.R. No. 8413 of 2015 (O&M)

Date of Decision: 09.12.2015

Anil Gupta

.....PETITIONER

VERSUS

Shanti Devi

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

PRESENT: Mr. Anurag Jain, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J (ORAL)

Petitioner has challenged the order dated 04.11.2015 passed by the Rent Controller, Hisar, whereby an application moved by the petitioner to call Smt. Shanti Devi and her husband Sham Sunder for giving thumb impression for comparison from handwriting expert, has been dismissed.

It is the contention of the learned counsel for the petitioner that the thumb impression affixed on the affidavit, which has been placed on record by Smt. Shanti Devi duly attested by the Metropolitan Magistrate, is not in dispute, it is the thumb impression on the power of attorney, which is disputed. He contends that for getting her specimen signatures, her presence is essential.

This contention of the learned counsel for the petitioner cannot be accepted in the light of the detailed reasons given by the Rent Controller in his order dated 04.11.2015, to which this Court agrees. It may also

be pointed out that if the petitioner is not disputing the thumb impression of Smt. Shanti Devi on the affidavit, there is nothing which would stop or curtail the petitioner to compare the same with the alleged forged thumb impression on the power of attorney. The observation of the Rent Controller that the application has been filed with an intention to delay the proceedings is absolutely correct and, therefore, the present revision petition stands dismissed.

**(AUGUSTINE GEORGE MASIH)
JUDGE**

December 09, 2015

pj