

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

**Civil Revision No. 8151 of 2014(O&M).
Date of Decision : 17.08.2015.**

M/s Goyal Gram Udyog Samiti

...Petitioner

Versus

Punjab State Warehousing Corporation Ltd. and others

...Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Mukand Gupta, Advocate for the petitioner.

Mr. K.B. Raheja, Advocate for respondents No. 1 and 2.

K. Kannan, J. (Oral)

The Arbitrator who had to confront a petition for examining the document through an expert dismissed the petition on an observation through naked eye that the signatures seemed correct. It will be too dangerous a proposition for an arbitrator to express his opinion before the conclusion proceedings and also denying an opportunity for a party, who says that the Will is fabricated not to permit him to bring an expert witness. The burden is always on the propounder to prove the genuineness of the document when it is put to challenge and a person who denies that he ever executed the document cannot be put to any compulsion for proving it by having the expert examined. I will not

modify the order in dismissing the application for examining an expert but would set-aside any observations made by the arbitrator regarding the genuineness and leaving it for appropriate inference on the basis of evidence brought before him before arguments.

Revision petition is disposed of.

August 17, 2015.
kanchan

(K. KANNAN)
JUDGE