

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R. No.362 of 2016
Date of Decision.20.01.2016

Ajmer Singh

.....Petitioner

Vs.

Sajjan Singh and others

.....Respondents

Present: Mr. Vijay Lath, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers 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?

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K. KANNAN J.(ORAL)

1. The application was filed by the plaintiff, after the side was closed and when it was posted for arguments, on the ground that a particular document purported to contain the signature of one Iqbal Singh in the scribe's register would require to be assessed through a handwriting expert. The Court observed that this opportunity need not be granted since the matter had come with direction from the High Court already and that the case must be concluded after affording an opportunity to the plaintiff to conclude his evidence. The objection taken in the application was that the plaintiff had taken several opportunities and there is no need for allowing for extended time for completing his evidence.

2. The counsel relies on the decision given by this Court in **Chand Singh Vs. Kartar Singh 2006(4) CCC 566** that in rebuttal evidence if a party wants to rebut the evidence produced by the

defendant, he should be permitted to lead evidence to rebut the same by the defendant in respect of the rent note. The issue is not whether the plaintiff should be denied opportunity or granted opportunity to rebut evidence. The issue is whether in rebuttal, the plaintiff must have the benefit of an expert to be examined at a time when he had allowed himself opportunities and he had not concluded his evidence. That ought to be a matter of discretion for the Court either to grant such opportunity or not. I will not find any reason for interference. There is no prejudice involved in this case for the plaintiff, for it is known too well that value of the handwriting expert's evidence is always very weak and such witness always supports the party who brings him to Court. If the defendant has given evidence that a particular register contains a signature of Iqbal Singh and the plaintiff's contention is that it is not true and he has cross-examined him and if the Court did not find that there was any more need to give opportunity for the plaintiff to examine one more witness, the matter must rest there and ought not to be an issue for being brought before this Court.

3. The order passed by the court below is sustained and the revision petition is dismissed.

(K. KANNAN)
JUDGE

January 20, 2016
Pankaj*