

228.

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

Civil Revision No.6668 of 2014

Date of decision:01.03.2016

Gurmail Singh

... Petitioner

versus

Rajeshwar and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. C.B. Goel, Advocate,
for the petitioner.

Mr. H.R. Bhardwaj, Advocate,
for respondent No.2.

1. Whether reporters of local papers may be allowed to see the judgment ? No.
2. To be referred to the reporters or not ? No.
3. Whether the judgment should be reported in the digest ?No.

K.Kannan, J. (Oral)

1. The revision petition is brought against the order declining a right of cross examination of an expert who has been brought by the defendant to contend that the signature of Rohtas Singh is not genuine. The defendant appears to have brought a comparison of the signature found in the document propounded by the plaintiff with some admitted document by the plaintiff. In the course of cross-examination, the plaintiff wants to confront the witness with certain registered documents which Rohtas Singh has

executed. When he was sought for cross examination, the court has declined that opportunity.

2. The order is erroneous. If the expert has given evidence with reference to admitted document, it cannot mean that the witness should not be confronted with any other document in which Rohtas Singh has been the signatory. It is open to the witness to either point out to any distinguishing features in the signatures or deny the signatures found in the documents which are confronted. That will have to await the cross examination itself and it cannot be anticipated by the defendant that any document brought by the plaintiff cannot be put to the witness for cross-examination. The objection made by the defendant was untenable and the court ought to have allowed the benefit of cross-examination of the expert in the manner sought by the plaintiff.

3. The impugned order is set aside and the revision petition is allowed.

(K.KANNAN)
JUDGE

01.03.2016
sanjeev