

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

Civil Revision No.8210 of 2016 (O&M)
Date of decision: December 06, 2016

Ganpat

...Petitioner

Versus

Jatinder Singh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Harsh Garg, Advocate for the petitioner.

Rajan Gupta, J.

Present revision petition is directed against the order dated 30.11.2016, passed by Civil Judge (Jr. Division), Ludhiana, whereby application moved by Officer-in-charge, Economic Offence Wing, Ludhiana seeking to send the original agreement to sell dated 10.12.1997 to FSL for comparing the signatures of seller Davinder Kaur with her admitted signatures, has been allowed.

Learned counsel has assailed the order. According to him, the trial court has wrongly handed over the original document to the investigating officer for comparing the disputed signatures, as there is no provision in the Civil Procedure Code in this regard.

I have heard learned counsel for the petitioner and given careful thought to the facts of the case.

It appears that petitioner/plaintiff filed a suit for specific

performance of agreement to sell against respondent No.1, alleging that mother of defendant/respondent No.1 had entered into agreement to sell dated 10.12.1997 in favour of the plaintiff. Defendant/respondent No.1 also moved a complaint to the police with the allegation that plaintiff forged thumb impression of his mother Davinder Kaur on the aforesaid agreement to sell. The investigating officer of the case moved an application before the trial court for obtaining original agreement, which was on the court file, for comparison of her signatures. Trial court allowed the same and released the document to the investigating agency, by retaining its certified copy. I find no infirmity with the order passed by the court below. A perusal of record shows that counsel appearing for the petitioner before the trial court had stated that he had no objection if said document is handed over to the police for comparison purposes. There is no merit in the present revision petition.

Dismissed.

(RAJAN GUPTA)
JUDGE

December 06, 2016
'Rajpal'