

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

C.R. No.865 of 2016

Date of Decision.10.03.2016

Tejinder Singh and others

.....Petitioners

Vs.

Baljeet Singh

.....Respondent

Present: Mr. Sachin Mittal, 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. At the stage of rebuttal the plaintiff secured the permission of the court to examine the handwriting expert. According to him, he did not know of the existence of any admitted signature prior to the stage when the defendant's side was closed and when he came to know about some earlier proceedings where the vendor had signed in court documents. He has applied for permission of the Court to make a comparison with the admitted signature found in Court document and give a report. The Court has observed that although the burden of proof was only on the plaintiff to prove in the affirmative of what he was pleading for and this must have been taken even before the plaintiff closed his evidence, it has marked out an exception in this case for allowing the petitioner to bring such evidence only because of the fact that the plaintiff had stated that he had come to know about the existence of signature of the vendor in the court documents only after

the defendant's side was closed.

2. I would find no error about the order for intervention. The counsel for the petitioner states that he had already obtained a report from the handwriting expert behind his back and the moment the Court has passed order, he had filed the report in Court. It will be open for the petitioner to elicit the fact that the report was secured behind his back and that the comparison was not really brought with the admitted signature and any other factor that would discredit the witness statement in court. No prejudice could be caused by the order already passed.

3. The revision petition is dismissed but with the above observations.

(K. KANNAN)
JUDGE

March 10, 2016
Pankaj*