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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **FAO(OS) 478/2015**

PAWAN KUMAR GUPTA Appellant

Represented by: **Mr.N.M.Popli, Advocate.**

versus

RAM RATTAN Respondent

Represented by: **Mr.S.S.Sastry, Advocate.**

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **28.01.2016**

1. With consent of parties we dispose of the appeal recording that before the learned Arbitrator parties agreed that the claimant and his son Vishal Gupta would give their thumb impressions and specimen signatures for forensic report to be submitted after examination by a government approved laboratory and this necessitated assistance by the Court resulting in application filed by the respondent being disposed of by the learned Single Judge, observing as under: -

“3. The respondent’s signatures already appear in the arbitration proceedings and therefore the expert of the petitioner herein can take such admitted signatures from the arbitration record for being compared with the disputed signatures on the Agreement to Sell dated 15.5.2009. So far as the signatures and thumb impressions of the respondent’s son on the Agreement to Sell dated 15.5.2009 are concerned, it is required that there should be admitted signatures of the respondent’s son Sh.Vishal Gupta, and it is agreed that Sh.Vikas Gupta will give his signatures and thumb impressions to the handwriting expert of the petitioner herein so that handwriting expert may prepare the report.”

2. With consent, the direction issued is that before the learned Arbitrator the appellant and his son Vishal Gupta would give their specimen right hand thumb impression as also specimen signatures which would be sent for examination along with the thumb impression and signatures on the agreement to sell dated May 15, 2009 and receipt of even date to FSL, Rohini for opinion regarding the disputed thumb impression and signatures appearing on the Agreement to Sell and the receipt. The learned Arbitrator would mark the disputed signatures and thumb impressions on the Agreement to Sell and the receipt so that the expert examiner knows which are the disputed signatures and thumb impression for evaluation with reference to the admitted signatures and thumb impressions.
3. The charges for the FSL Laboratory, Rohini shall be paid by the appellant. The learned Arbitrator would do the needful and enclosing the present order would send under cover of a letter the two disputed documents as also the specimen right hand thumb impressions and signatures of the appellant and his son Vishal Gupta.
4. Appeal is disposed of.
5. No costs.

CM Nos.16486/2015 (Additional documents) and 16487/2015 (Stay)

Applications are dismissed as infructuous.

PRADEEP NANDRAJOG, J.

MUKTA GUPTA, J.

JANUARY 28, 2016
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