

IN THE HIGH COURT OF JUDICATURE AT PATNA

CIVIL MISCELLANEOUS JURISDICTION No.487 of 2017

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Jai Prakash Singh Son of late Panchu Prasad Singh The resident of Village-Fulwariya, P.S.-Shahkund, Distt-Bhagalpur.

.... Appellant/s

Versus

1. Ajay Thakur Son of late Kamleshwari Thakur
2. Parsuram Thakur Son of late Kamleshwari Thakur Both resp no 1 and 2 are the Resident of Village-Fulwariya, P.S.-Shahkund, Distt-Bhagalpur.
3. Umakant Singh Son of late Janardan Mahto.
4. Jogendra Singh Son of late Janardan Mahto
5. Photo Prasad Singh Son of late Ram Bilash Singh
6. Birendra Prasad Singh Son of Late Ram Bilash Singh
7. Bipin Prasad Singh Son of late Ram Bilash Singh
8. Krishna Nand Singh Son of late Rameshwar Mahto.
9. Rajendra Singh Son of late Rameshwar Mahto
10. Shushila Devi W/o late Jagdish Mahto
11. Bablu Singh @ Shambhu Singh Son late Jagdish Mahto Respodnner no 3 to 11 are Are the Resident of Village-Amba, P.S.-Shahkund, Distt. Bhagalpur.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Swapnil Kumar Singh
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH

ORAL JUDGMENT

Date: 31-07-2017

Heard learned counsel for the petitioner.

By the impugned order, the learned court below has declined the prayer of the petitioner for comparison of the disputed signature of Umakant Singh with another documents also besides the



signature appearing on his deposition as recorded in the court.

Learned counsel for the petitioner has submitted that the said Umakant Singh was a clever person and he used to change his signature and, therefore, it would be desirable that the signature appearing on other documents of the same period, when the disputed sale deed was said to have been executed by him, be taken into consideration for comparison. The learned court below has come to the conclusion that the signature of the said Umakant Singh appearing on his deposition before the court and in presence of the parties is most genuine signature and can be the basis for comparison of his disputed signature. This Court does not find that the learned court below has committed any illegality or error of jurisdiction in passing the impugned order.

The application is, accordingly, dismissed.

However, the petitioner shall have always the liberty in accordance with law to establish his case that the said Umakant Singh was in the habit for changing his signature and lead evidence in support of the case.

(V. Nath, J)

Devendra/-

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