

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (227) No.477 of 2017

Chandrabhusan Tiwari, S/o Shri R.P. Tiwari, aged about 56 years, resident of village and post Sihawa, Tahsil and Thana Nagri, District Dhamtari (CG).

---- Petitioner

Versus

B. Bhardwaj, S/o Shri R.P. Tiwari, (wrongly mentioned in cause title correct name of father is Shri B.B.R. Murti), aged about 48 years, Resident of D-180, Sector Devendra Nagar, Thana Devendra Nagar, District Raipur (CG).

---Respondents

For Petitioner : Mr. Ravi Kumar Bhagat, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

17/07/2017

(1) By the impugned order dated 25.03.2017, the trial Court has rejected the petitioner's application under Section 45 of the Evidence Act to examine the subject documents by handwriting expert.

(2) Learned counsel appearing for the petitioner would submit that the trial Court has committed jurisdictional error in rejecting the application under Section 45 of the Evidence Act.

(3) I have heard learned counsel for the petitioner and perused the impugned order with utmost circumspection.

(4) After hearing learned counsel for the petitioner, I am of the considered opinion that the trial court has assigned sufficient and

valid reasons in rejecting the application under Section 45 of the Evidence Act. I do not find any jurisdictional error in the impugned order.

(5) With the aforesaid observation, the writ petition stands finally disposed of. No order as to cost(s).

SD/-

(Sanjay K. Agrawal)
Judge

L/-