

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WP227 No. 888 of 2017**

Barnawas Toppo S/o Thomas Toppo, aged about 72 years, Caste Oraon R/o Rawanbhata, Post Gariyabandh, District Gariyabandh Chhattisgarh Civil & Revenue District Gariyabandh Chhattisgarh

---- **Petitioner****Versus**

1. Ramdhani S/o Dilkaran Baiga, aged about 55 years, Occupation Labour, R/o Village Janakpur Tahsil Bharatpur District Koriya Chhattisgarh
2. Sunil Kumar S/o Phoolchand Singh aged about 35 years, R/o Village Janakpur Tahsil Bharatpur District Koriya Chhattisgarh
3. Abraham Bada, S/o Khorsa Bada, aged about 40 years, R/o Catholic Ashram Janakpur Tahsil Bharatpur District Koriya Chhattisgarh
4. State of Chhattisgarh Through The Collector, Koriya Baikunthpur District Koriya Chhattisgarh

---- **Respondents**

For Petitioner	:	Mr. M.L. Sakat, Advocate.
For State	:	Mr. Arvind Dubey, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****29/11/17**

1. Learned counsel for the petitioner would submit that the application filed by the petitioner / defendant under Section 45 of the Evidence Act has been rejected by the trial Court only on the ground that he has not mentioned the name of the hand writing expert, who has to examine the impugned handwriting and, therefore, he may be allowed to file a fresh application with the name of the hand writing expert.
2. I have heard learned counsel for the petitioner.

3. The prayer appears to be fair and reasonable and is accordingly allowed.
4. Be that as it may, the petitioner is at liberty to file a fresh application before the trial Court duly constituted with the name of the hand writing expert with whom he wishes to examine the impugned hand writing.
5. With the aforesaid observation, the writ petition stands finally disposed of. No order as to cost(s).

Sd/-

(Sanjay K. Agrawal)
Judge