
**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Sr. No.113

**Civil Revision No.2397 of 2017
DECIDED ON: April 19, 2017**

P.B.N. HIGH SCHOOL SOCIETY AND OTHERS

..PETITIONERS

VERSUS

RAJIV KUMARIA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Prateek Mahajan, Advocate,
for the petitioners.

JASPAL SINGH, J.

Challenge in this revision petition is to the order dated January
30, 2017 (Annexure P-1) passed by learned Civil Judge (Jr. Divn.) Amritsar
whereby an application preferred by the petitioners/plaintiffs for inspection

of file and to take relevant photo-snaps of signature of the plaintiffs by their Handwriting and Fingerprint Expert Anil Kumar Gupta has been dismissed and for direction to the trial court to allow inspection of file and taking photo-snaps of signature from documents on record.

2. During the pendency of the Civil Suit No.357 dated July 16, 2004 titled as "*P.B.N. High School Society and others vs. Inderjit Singh Sood and others*" an application dated February 12, 2016 for permission for inspection of file and to take photo-snaps of signature of the plaintiffs by their Handwriting and Fingerprint Expert was moved as there are allegations that the defendant has been tampering with signatures of the plaintiffs on various documents. That application was contested by the respondent/defendant pleading the same to be premature. It was further pleaded that plaintiff has also earlier filed an application under Order VII Rule 14 CPC for production of documents by the defendant and the applications are being filed one after the other without any rhyme and reason. Thus, no permission can be granted to the Handwriting Expert to take photo-snaps of the signatures appended on the Minute Books under possession of the defendants at the stage. An application was dismissed by the impugned order dated January 30, 2017 which has been necessitated the filing of the instant revision petition.

3. The contention of the learned counsel for the petitioners is that the entire approach of the learned trial court in dismissing the application for permission of the court for file inspection and taking photo-snaps of signatures of the plaintiffs on various documents is against the law and fact and suffer from material irregularity, illegality and perversity. No doubt,

the suit is at initial stage and an application for injunction is yet to be decided by the court. In order to do substantial justice, the petitioners/plaintiffs intended to get photostat copies of their signatures appearing on various documents and proceedings produced by the defendant and to prima facie prove, the examination of their signatures by the Handwriting & Fingerprint Expert is essential. It would also enable the court to decide the application for injunction as well as suit in a proper and effective manner.

4. This court has gone through the impugned order dated January 30, 2017 meticulously which reveals that no specific reason for seeking permission for inspection of file as well as to take relevant photo-snaps of the petitioners/plaintiffs by the Handwriting and Fingerprint Expert has been assigned or unfolded in the application moved by the petitioners. Even the details or description of the documents, the photographs of which are required by the petitioners/plaintiffs have not been mentioned therein. Moreover, while dismissing an application holding that an application is fake as no specific reason has been mentioned by the petitioners/plaintiffs in the application, the petitioners/plaintiffs have been given liberty to file a fresh application at the time of their evidence by coding specific reasons for appointing any Handwriting & Fingerprint Expert. Thus, this court does not find any illegality, infirmity or perversity in the impugned order dated January 30, 2017. If the petitioners are still aggrieved, they can move afresh application by unfolding the reasons as well as the detailed description of the documents of which photographs are required for the comparison purposes by the Handwriting & Fingerprint Expert.

5. Finding no merit in the instant revision petition, the same is dismissed.
6. No order as to costs.

April 19, 2017
Ankur

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No