

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

Civil Revision No.2824 of 2017
Date of decision: April 24, 2017

Satish Kumar Dua

...Petitioner

Versus

State Bank of India & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. O.P. Kamboj, Advocate for the petitioner.

Rajan Gupta, J.

Present revision petition is directed against the order dated 29.03.2017, passed by Civil Judge (Jr. Division), Ferozepur, whereby application moved by the petitioner seeking permission to compare the signatures of defendant No.1 on revival letter dated 5.10.2006 from Handwriting and Fingerprint Expert, has been dismissed.

Learned counsel has assailed the order. According to him, defendant No.1 did not execute any revival letter in favour of the bank and the alleged document is forged and fabricated one. Same may, thus, be examined by some document and handwriting expert.

I have heard learned counsel for the petitioner and given careful thought to the facts of the case.

It appears that respondent No.1/plaintiff bank filed a suit for recovery of Rs.67,834.34 along with interest against the defendants

including petitioner Satish Kumar Dua in the capacity of guarantor. Suit was filed on 23.01.2014. During pendency of suit, petitioner/defendant No.2 filed instant application seeking permission to get signatures of borrower i.e. defendant No.1 compared, on the revival letter from some Handwriting and Fingerprint Expert, on the ground that said document is forged and fabricated by the bank. Application has been dismissed by the trial court, observing that application is not maintainable as alleged signatures pertain to defendant No.1/borrower and applicant/defendant has been arrayed being his guarantor. I find no infirmity with the order passed by the court below. The revision petition is without any merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

April 24, 2017
'Rajpal'