

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA
AT CHANDIGARH**

Amit Kumar
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CR No. 5274 of 2017 (O&M)
Date of decision: 10.8.2017

Sunil Gupta

...Petitioner

Versus

Subhash Gupta and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Sandeep Sharma, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK, J. (Oral)

Feeling aggrieved against the order dated 24.5.2017 (Annexure P-3) passed by the learned trial court, whereby application for getting signatures/handwriting of deceased-Tirath Ram at Ex.DW1/1 compared with his admitted signatures from CFSL, Chandigarh, was declined, leaving it open to the defendants to examine any handwriting expert in their evidence, he has approached this Court by way of present revision petition under Article 227 of the Constitution of India, for setting aside the impugned order.

Heard learned counsel for the petitioner.

A bare perusal of the impugned order would show that the learned trial court was conscious of the fact that plaintiff has examined Handwriting Expert, while leading his evidence in affirmative. The said Handwriting Expert was also cross-examined by the defendants. While passing the impugned order, learned trial court very rightly left it open to the petitioner-defendants to examine their Handwriting Expert, if they so desire. However, their prayer for sending handwriting (Ex.PW1/1) to the Government Agency, i.e. CSFL, Chandigarh, was declined. Having said that, this Court feels no hesitation to

conclude that the learned court below was well within its jurisdiction to pass the impugned order and the same deserves to be upheld.

Neither any prejudice, whatsoever, has been caused to the petitioner, by passing the impugned order, nor any such prejudice has been shown to have been caused to the petitioner. The impugned order passed by the learned trial court has been found strictly in accordance with the facts of the case. Under these undisputed facts and circumstances of the case, it can be safely concluded that the learned court below committed no error of law, while passing the impugned order and the same deserves to be upheld.

During the course of hearing, learned counsel for the petitioner could not point out any patent illegality or perversity in the impugned order, which may warrant interference at the hands of this Court, while exercising its revisional jurisdiction under Article 227 of the Constitution of India. In fact, the impugned order has been found duly supported by sound reasons and the same deserve to be upheld.

No other argument was raised.

Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned, this Court is of the considered view that present revision petition is misconceived, bereft of merit and without any substance. Thus, it must fail. No case for interference has been made out.

Resultantly, with the abovesaid observations made, instant revision petition stands dismissed, however, with no order as to costs.

10.8.2017
AK Sharma

(RAMESHWAR SINGH MALIK)
JUDGE

Whether Speaking/reasoned : Yes/No
Whether Reportable : Yes/No