

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.6172 of 2014
Date of Order: 24.08.2017

Anant Ram and another

..Petitioners

Versus

Smt. Gurbachan Kaur and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Munish Gupta, Advocate
for the petitioners.

Mr. Deepak Verma, Advocate and
Mr. Shubhashish Kukreti, Advocate,
for the respondents.

ANIL KSHETARPAL, J (Oral)

Plaintiffs are in revision petition against order dated
07.05.2014.

After conclusion of the evidence by the plaintiffs, when
evidence of the defendants was being recorded, plaintiffs filed an
application for allowing the plaintiffs to get signatures of Pritam Chand,
defendant, to be compared by Handwriting and Finger Print Expert on
letters dated 25.04.2005 and 12.08.1991, alleged to have been written by
Pritam Chand, defendant.

The aforesaid application has been dismissed by the Court on
the ground that the plaintiff has never relied upon these documents.

Plaintiffs have filed a suit against defendants, challenging
transfer deed dated 12.12.2005. Plaintiff No.1 is father of plaintiff no.2.

Defendant no.1 and defendant no.2 are sons, whereas defendant no.3 is

daughter of the plaintiff no.1. The suit was filed on 01.03.2006. The precise allegation in the plaint is that plaintiff no.1 is of unsound mind and feeble intellect and therefore the transfer deed is void. Plaintiffs were given full opportunity to lead their evidence. The application filed is not for additional evidence. The application has only been filed for allowing the plaintiffs to compare the signatures of Pritam Chand on letters written by him. Once the plaintiffs have already closed their evidence, then such application was not maintainable.

Learned counsel for the petitioners has read over the contents of letters. Learned counsel for the petitioners has submitted that in the letters Pritam Chand had written to the other brother that their father has become weak and of feeble mind after the death of mother.

In the present case, the dispute is whether plaintiff no.1 is of unsound mind. The entire issue would depend upon the medical evidence to be brought in by the plaintiffs. Such letters would not prove that the plaintiff no.1 was of unsound mind. The plaintiffs have already concluded their evidence. The suit is pending for more than 11 years. Therefore, finding no merits, the revision petition is dismissed.

August 24, 2017
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No