

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

CR-8475 of 2016 (O&M)

Date of decision: January 23, 2017

Tejinderpal Singh

...Petitioner

Versus

Harsh Vardhan Jain

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. H.S. Bedi, Advocate for the petitioner.

Rajan Gupta, J.

Present revision emanates from an order dated 10.11.2016, passed by the trial court, whereby prayer made by plaintiff seeking direction to the defendant to produce his driving licence, bank passbook etc. bearing signatures of petitioner, has been accepted.

It has been urged before the court that trial court committed a grave error in directing the petitioner to produce his driving licence etc., as plaintiff/respondent cannot seek direction from the court to direct a witness to produce any document.

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

It appears, plaintiff/respondent filed a suit for recovery of Rs.1,90,500/- against the petitioner on the ground that plaintiff had given the said amount as friendly loan to the defendant. Defendant gave him a cheque of Rs.1,50,000/-, but same was dishonoured. Defendant in his evidence filed his affidavit. During his cross-examination, plaintiff sought

permission of the court to direct the witness/defendant to produce his driving licence and bank passbook to examine his signatures. Prayer was accepted by the trial court. I find no infirmity with the order. A recovery suit has been filed by the plaintiff and in order to tally signatures of the defendant on his admitted documents i.e. driving licence etc., executed prior to filing of suit, the court has rightly directed him to produce his driving licence, bank passbook etc. Same was necessary to reach a just conclusion. Present revision petition is, thus, without any merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

January 23, 2017
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No