

WRIT PETITION NO. 2960 OF 2018

Advocate for Petitioner : Shri R.E. Khillare

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1] The petitioner/original plaintiff is aggrieved by the order dated 22/07/2016, by which the Trial Court rejected the application Exhibit 21 and declined to send the sale-deed dated 31/03/1997 to the hand-writing expert.

2] Learned counsel for the petitioner has strenuously criticized the impugned order.

3] I find from the observations of the Trial Court that as the genuineness of the sale-deed and the hand-writing and thumb impression appearing thereon can be proved by following the procedure under Section 45, 47, 67 and 73 of the Indian Evidence Act, the said sale-deed could be proved by

examining the author or the scribe or the attesting witness.

4] I do not find that the impugned order could be termed as being perverse or erroneous so as to cause an interference.

5] Thus, the petition being devoid of merit is, therefore, dismissed.

(RAVINDRA V. GHUGE, J.)

shp/-