

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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CR-1571-2016 (O&M)
Date of decision: 12.11.2018

HARNEK SINGH

...Petitioner

Versus

SONA SINGLA

...Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Jasbir Rattan, Advocate for the petitioner.
Ms. Meena Bansal, Advocate for the respondent.

REKHA MITTAL, J. (Oral)

The present petition directs challenge against order dated 01.02.2016 passed by the Rent Controller, Dhuri whereby application filed by the petitioner (respondent therein) to give his specimen signatures before the Court for the purpose of getting it compared from fingerprints expert has been dismissed.

Counsel for the petitioner would urge that there is a serious dispute between the parties with regard to relationship of landlord and tenant in eviction proceedings initiated by the respondent under Section 13 of the East Punjab Urban Rent Restriction Act, 1949. The respondent has relied upon rent note dated 14.07.1999 purportedly signed by the petitioner in Punjabi. The petitioner has specifically denied his signatures on the rent note with the averment that he used to sign in English but signatures on the rent note are in Punjabi. It is argued that in order to avoid any complication in future on account of failure of the petitioner to get compare the disputed signatures on the rent note with his writing in Punjabi, the instant application was filed but the same has been wrongly rejected by the Rent Controller.

Counsel representing the respondent has supported the impugned order with the submission that in view of stand of the petitioner in the reply to eviction application, there is no question of allowing him to

give his sample signature for the purpose of comparison with the disputed signature.

I have heard counsel for the parties, perused the paper book particularly the order impugned.

Be that as it may, the petitioner has raised a categorical plea that he signs in English and does not sign in Punjabi. Once the petitioner has raised such a plea, it is his obligation to prove that he has never appended his signatures in Punjabi. In the given scenario, there is no question of petitioner's giving sample signature for the purpose of comparison with the disputed signature on the rent note. It appears that the instant application was filed by the petitioner with some ulterior purpose to achieve but the same has rightly been dismissed by the Rent Controller.

For the foregoing reasons, the petition fails and is accordingly dismissed.

12.11.2018

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No