

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.6055 of 2016 (O&M)
Date of Order:21.03.2018

Ajay Kumar and another

..Petitioners

Versus

Devi Ram

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Johan Kumar, Advocate,
for the petitioners.

Mr. Suman Jain, Advocate,
for the respondent.

ANIL KSHETARPAL, J(Oral)

Plaintiffs-petitioners are in revision petition against the order passed by the learned trial court, dated 06.08.2016, allowing the application filed by the defendant to take signatures of said Sanjay son of Nem Chand from the alleged documents and send them for comparison before the Forensic Science Laboratory, Madhuban.

Learned counsel for the plaintiffs-petitioners has argued that the offices of the court cannot be used for collection of evidence. He submits that Sanjay was not a party to the suit and therefore his signatures could not be forwarded to the Forensic Science Laboratory, Madhuban for comparison. He has submitted that the defendant could have only examined private expert for comparison.

Counsel for the petitioners was repeatedly requested to show any prejudice caused to the petitioners. Learned counsel for the petitioners in response thereof has submitted that Sanjay in fact was the tenant of the

plaintiffs and therefore, his signatures cannot be forwarded to the Forensic Science Laboratory, Madhuban for comparison.

In the considered opinion of this court, learned trial court has rightly held that comparison of the signatures of Sanjay would not cause any prejudice to the plaintiffs-petitioners rather it will be helpful to the court to adjudicate upon the dispute between the parties. In the present case, plaintiffs have filed a suit for permanent injunction, whereas defendant has filed counter claim claiming that defendant-respondent is owner in possession.

In view thereof, there is no scope for interference in the order passed by the learned Civil Judge (Junior Division), Hodal, dated 06.08.2016.

The revision petition is dismissed.

March 21, 2018
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No