

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

CR No.8116 of 2015 (O&M)
Date of decision : 14.03.2018

Babu Lal

...Petitioner

Versus

M.P.S. Ahuja and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Aditya Jain, Advocate for the petitioner.

Mr. Navneet Jindal, Advocate for respondent No.5.

ANIL KSHETARPAL, J. (ORAL)

The dispute, in the present case, is with regard to sending the impugned disputed sale deed to Forensic Science Laboratory, Madhuban for getting the opinion of the Handwriting and Finger Print Expert.

It is not disputed that both the parties have got the signatures examined from the respective Handwriting and Finger Print Expert and their opinions are already on the file. The report submitted by the Experts engaged by the respective parties is said to be contrary to each other. The plaintiff thereafter filed an application for sending the sale deed dated 05.10.1990 to Forensic Science Laboratory, Madhuban i.e. Government owned laboratory, for comparison.

Learned trial Court after examining the facts has dismissed the application by recording that the report of the Handwriting and Finger Print

Expert is only an opinion, even if from the Government Laboratory. The Court has held that it is for the parties to prove their case and the Court cannot be called upon to collect the evidence on behalf of the parties.

In the considered opinion of this Court, the comparison of handwriting and signatures from an Expert is only an opinion. The comparison of signatures and handwriting is not a perfect science.

In view of the fact that two Experts have already been examined by the respective parties, this Court does not find any justification in sending the signatures for comparison to another expert at Forensic Science Laboratory, Madhuban. Still further, both the parties have already concluded their evidence and the case is at the stage of rebuttal and final arguments.

In view thereof, there is no scope for interference.

Revision petition is dismissed.

14.03.2018

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No