

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Revision No.8612 of 2017 (O&M)

Date of Decision: December 19, 2018

Punjab Agricultural Development Bank, Zira

.....Petitioner

versus

Kashmir Singh and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL

Present: Mr.Saurabh Singla, Advocate, for
Mr.Pardeep Bajaj, Advocate, for the petitioner.

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Amit Rawal, J. (Oral)

The present revision petition is directed against the order dated 16.10.2017 whereby at the stage of defendant's evidence, the application of the respondent-plaintiff for examination of Handwriting and Finger Print Expert, has been allowed. Learned counsel for the petitioner submitted that there was no rebuttal issue in view of the issues framed. They could not take permission of the Court and conclude the evidence in the manner and made as it has been done. The plaintiff evidence by way of hand-writing expert is not admissible. The order dated 16.10.2017 is thus not sustainable.

There is no representation on behalf of the respondents despite service.

I have heard learned counsel for the petitioner and gone through the paper book.

A perusal of the impugned orders shows that the respondent has taken assistance of the Court for taking expert advice. The aforesaid

Contention of the plaintiff was accepted by the trial Court and allowed the

application for permission to allow hand-writing and finger print expert.

Even otherwise the impugned order reveals that there was no rebuttal issue.

In such circumstances, the impugned order is not sustainable as the said order suffers from perversity. The same is set-aside and the revision petition is allowed.

December 19, 2018

mohinder

(AMIT RAWAL)

JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No