

HIGH COURT OF CHHATTISGARH, BILASPUR**WP227 No. 285 of 2019**

1. Sanjay Das Haiwar son of late Shri Ramudas Haiwar, aged about 42 years,
2. Laxmi Bai @ Laxmin Haiwar Widow of late Shri Ramudas Haiwar, aged about 62 years

---- Petitioners/Plaintiffs**Versus**

1. Vimla Bai Mohite D/o shri Devji Ram Mohite, aged about 65 years,
2. Vinayak Das Haiwar, S/o Late Shri Ramudas Haiwar, aged about 31 years
3. Manmohandas Haiwar S/o Late Shri Ramudas Haiwar, aged about 30 years

No. 1 to 3 are resident of Rambag Dhamtari, Tah and District- Dhamtari C.G.

4. The Block Education Officer, Dhamtari, District- Dhamtari, C.G.
5. The District Education Officer, Composite Building, Dhamtari, Near Collectorate, District- Dhamtari C.G.
6. The Joint Director, Treasury, Accounts and Pension, Raipur Division, Ghadi Chowk, Raipur, Tah & District Raipur C.G.

---- Respondents/ Defendants

For Petitioners : Avinash Chand Sahu, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****26.04.2019**

1. Learned counsel for the petitioners would submit that the trial Court is absolutely unjustified in rejecting the application filed by the petitioners under Section 45 of Indian Evidence Act dated 26.11.2018 to get signature on Will deed examined through the handwriting expert.

2. I have learned counsel for the petitioners, perused the impugned order and went through record with utmost circumspection.
3. Be that as it may, petitioners is at liberty to get signature of the questioned document examined by hand writing expert and produce the same before the trial Court in accordance with law.
4. With the aforesaid observation, this writ petition finally stands disposed of.

Sd/-

(Sanjay K. Agrawal)
Judge