

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 201

CR-4191-2016 (O&M)

Date of decision : 18.10.2019

Taranjit Singh

..... Petitioner

VERSUS

Karnail Singh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Raman Sharma, Advocate, for the petitioner.

Mr. Ranjan Lohan, Advocate, for respondents No. 1 and 2.

Mr. Divanshu Jain, Advocate, for respondents No. 3 and 4.

Mr. Kapil Kakkar, Advocate, for respondent No. 5.

DEEPAK SIBAL, J. (ORAL)

The present petition is directed against the order dated 31.05.2016, passed by the Civil Judge (Junior Division), Chandigarh (for short, the Trial Court), dismissing an application filed by the petitioner through which he had sought more time to examine a handwriting expert namely Devendra Prasad as his witness.

Through an order of this Court dated 24.05.2016 passed in CR-7653-2013 "*Taranjit Singh vs Karnail Singh and others*", subject to payment of ₹10,000/- as costs, the petitioner was granted one opportunity to produce the aforesaid handwriting expert before the Trial Court on 31.05.2016.

It is not disputed that on 30.05.2016 father-in-law of the said handwriting expert expired whose cremation was on 31.05.2016. Therefore, the petitioner was unable to produce the said witness before the Trial Court on 31.05.2016. That being so, the petitioner cannot be faulted for the same.

Resultantly, the impugned order is set aside and another opportunity is granted to the petitioner to produce the handwriting expert namely Devendra Prasad as his witness on the next date to be fixed by the Trial Court for the said purpose.

It is clarified that no further opportunity shall be granted to the petitioner to lead any further evidence.

The petition is allowed in the above terms.

18.10.2019
shamsher

[DEEPAK SIBAL]
JUDGE

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