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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-2828-2019 (O&M)
Date of decision:2.5.2019

Jaswinder Singh (now deceased) Petitioner
Versus
Sukhwinder Singh and others Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Sham Lal Bhalla, Advocate for the petitioner.

KULDIP SINGH, J.

Heard.

Impugned in the present petition is the order dated 20.2.2019 passed by learned Civil Judge (Junior Division), Ludhiana vide which an application to examine the handwriting and finger print expert was dismissed.

A perusal of the impugned order shows that plaintiff-petitioner has filed a suit for specific performance on the basis of agreement to sell dated 13.3.2015. In the written statement, copy of which is on record, the defendant has taken the plea that a loan of Rs. 1.00 lacs was obtained and the signatures of the defendant and his father was obtained on blank papers in the presence of the witness-Ranjit Kaur. It is stated that whenever more time was sought to repay the loan, the signatures and thumb impression of the defendant and his father were obtained on blank stamp papers.

It goes to show that defendant admit his signatures and thumb impression on the document. Therefore, no expert evidence is required to prove the said signatures and thumb impression, even if the defendant

denied his signatures and the thumb impression during the evidence.
Application is superfluous and the evidence is unnecessary.

Accordingly, I do not find any illegality or infirmity in the
impugned order dated 20.2.2019 passed by learned Civil Judge (Junior
Division), Ludhiana.

Any findings recorded by the learned Civil Judge (Junior
Division), Ludhiana, while disposing of the application, will not be taken
into consideration while decided the case on merits.

Dismissed.

(KULDIP SINGH)
JUDGE

2.5.2019
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Whethers peaking/reasoned	Yes
Whether Reportable:	No