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C.O. 2017 of 2022

**Smt. Anima Mondal
Vs
Sri Jaladhar Mondal**

Mr. N. G. Sarkar,
Mr. Devranjan Das,

... For the petitioner.

Petitioner feels aggrieved with a report of hand writing expert, which according to the petitioner has reached to the Court in an open condition.

It is contended by the learned advocate for the petitioner that a deed has been challenged, and in connection with which, the signatures/L.T.I. of the executor of the deed was sent to hand writing expert for opinion and report.

The report, instead of coming to Court in a closed envelope, it has reached to Court in an open condition. It is also submitted that the complete report has not yet reached.

Upon perusal of the order No. 60 dated 2nd April, 2022, it appears that “ The closed envelope from FPB, which was received on 8th December, 2021 is opened today in presence of the learned advocates of both sides.”

Learned advocate clarifies the situation, as regards the order dated 2nd April, 2022 submitting that

Finger Print Examination Report has reached to the Court, but not the report of the expert regarding thumb impression has reached as yet.

In a situation like this, there is hardly any scope for any further elaboration giving extensive hearing for the purpose.

As regards the contention raised by the petitioner that the report of the hand writing expert has reached to the Court in a open condition, it appears that the report of the Finger Print Examination, received on 8th December, 2021, was opened before the Court in presence of learned advocates of both sides.

As such the submission raised by the petitioner has no substantial basis with regard to the examination of Finger Print at least.

If no report is received with regard to the thumb impression, the Court below may take up the issue in accordance with law so that the report of the thumb impression may reach at an early date from the competent authority concerned.

It is, however, clarified that if there be any controversy with regard to the report of the hand writing expert relatable to Finger Print or thumb impression, whatever it may be, the same may be resolved after examination of the hand writing expert at the time of trial of this case.

The revisional application is thus disposed of with

the observations made hereinabove.

Parties are directed to make communication of this order to the learned court below.

Urgent photostat certified copy of the order, if applied for, be given to the parties on usual undertakings.

(Subhasis Dasgupta, J)