

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 329 of 2020 (O&M)

Date of Decision: 21.10.2022

Vinod Kumar

... Petitioner(s)

Versus

Siri Bhagwan (Deceased) through his legal representatives and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Arvind Kumar Yadav, Advocate
for the petitioner(s).

Mr. Abhilaksh Grover, Advocate
for the respondent No.1.

Anil Kshetarpal, J.

1. The petitioner is the objector in a pending execution petition. He appeared on 05.05.2017 and filed his objection petition on 13.09.2018. He was a third party objector, therefore, the Court framed issues on 07.12.2018. The objector closed his oral evidence on 25.01.2019. However, thereafter, he filed an application for permission to lead additional evidence in order to examine the Handwriting and Fingerprint Expert. The petitioner alleges that the alleged affidavit of Sh. Siri Bhagwan has been fabricated, subsequently, after his death.

2. The aforesaid affidavit is already a part of the Executing Court's record. The Presiding Judge can always examine its correctness.

The Handwriting and Fingerprint Expert can only give his opinion which may or may not be accepted by the Court. The execution petition is pending

for the last five years. The litigation is required to come to an end. The petitioner has already been granted sufficient opportunity to lead evidence. The Executing Court, in exercise of its discretion, has already refused to grant permission to lead additional evidence.

3. Keeping in view the aforesaid facts, no ground is made out to interfere. Hence, the present revision petition is dismissed.

4. The miscellaneous application(s) pending, if any, shall stand disposed of.

(Anil Kshetarpal)
Judge

October 21, 2022
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No