

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

241

CR No. 3709 of 2018 (O & M)

Date of decision : 13.12.2022

Jatinderpal Singh

.....Petitioner

Vs.

Kashmiri Lal and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. M.K. Bali, Advocate, for the petitioner

Mr. Rajiv Joshi, Advocate with

Ms. Akanksha, Advocate, for respondents no.1 and 3 to 6

TRIBHUVAN DAHIYA, J. (Oral)

1. This is a revision petition filed under Article 227 of the Constitution of India for setting aside the order dated 16.4.2018 (Annexure P-2) passed by the trial Court, allowing the Hand Writing Expert Mr. Karandeep Singh Arora to take photographs of writings of Gulshan Kumar/defendant no.2, to compare the same with disputed hand-writing on documents Ex.P-4 to P-6.

2. As apparent from the facts on record, the petitioner/plaintiff has engaged a Hand Writing Expert Arvind Sood to compare the hand-writings of respondent/defendant no.2 taken in the Court. The said Expert gave a report in favour of the plaintiff and the respondents/defendants wanted to rebut the said expert evidence. The application moved for the purpose, was allowed by the trial Court vide impugned order dated 16.4.2018.

3. There is no dispute about the fact that the respondents/defendants have a right to rebut the evidence of the plaintiff's Hand Writing Expert by way of their own Expert evidence. In case they have been allowed to do so by the

trial Court vide order dated 16.4.2018, no exception can be taken to it. The order is as per the settled procedure to avoid any prejudice to the defendants.

- 4. In view thereof, there is no ground to interfere with the impugned order.
- 5. Dismissed.
- 6. Pending application, if any, also stands disposed of.

(TRIBHUVAN DAHIYA)
JUDGE

13.12.2022

Ashwani	Whether Speaking/Reasoned	:	Yes/No
	Whether Reportable	:	Yes/No