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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No.4093 of 2019 (O&M)

Date of decision: 21.07.2022

Darbara Singh

....Petitioner

Versus

Ranjit Singh

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. G.S. Saini, Advocate
for the petitioner.

Mr. Pankaj Malhotra, Advocate
for the respondent.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this revision petition filed by the petitioner/plaintiff is to set-aside the impugned order dated 10.05.2019 passed by the Civil Judge (Sr. Division) Ferozepur, vide which the application for permitting the defendant to compare his signatures on the application for leave to defend with disputed signatures on the pronote and receipt was allowed.

The only argument raised by counsel for the petitioner is that additionally the signatures be compared with some standard signatures like PAN Card, Aadhar Card, Driving Licence or any signatures available in Bank or any other registered document, which are affixed prior to the date, when the signatures on the pronote were taken.

Counsel for the petitioner has argued that there is every possibility that the defendant knew that an application for comparison

of his signatures on the disputed pronote will come, the signatures on the application praying for leave to defend, which is filed much after filing of the suit may have variation in the signatures of the defendant.

Counsel for the respondent has submitted that the trial Court has made an observation on the application for comparison of the disputed signatures that it is a matter of final arguments whether the standard signatures are genuine or not and what weightage is to be given to the report of the Handwriting Expert at the time of final disposal of the suit.

After hearing the counsel for the parties, considering the fact that the trial Court has already allowed the application for comparison of the signatures of the defendant on the disputed pronote dated 23.12.2014 with the signatures on leave to defend application, I deem it appropriate that the Handwriting Expert be also directed to compare the signatures of the defendant on the pronote with any other registered document like PAN Card, Aadhar Card, Driving Licence or any signatures available in Bank or any other registered document, which are affixed prior to the date, when the signatures on the pronote were taken, in order to enable the trial Court to come to a definite conclusion.

Accordingly, the present petition is allowed with the aforesaid observations.

(ARVIND SINGH SANGWAN)
JUDGE

21.07.2022

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Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No