

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

CR-5856-2022 (O&M)

Date of decision: 21.12.2022

Rajbir Singh (deceased) through his LRs

....Petitioners

Versus

Sudha Rani (deceased) through her LRs and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Namit Khurana, Advocate for the petitioners

ANIL KSHETARPAL, J (Oral)

The challenge in the present revision petition is to the correctness of the interlocutory order passed by the trial court on 22.11.2022, while dismissing the plaintiff's application for permission to lead the additional evidence. The plaintiff filed the suit for grant of decree of possession by way of specific performance of the agreement to sell dated 04.10.2012 and the agreement/settlement dated 23.03.2013. The defendant while filing the written statement admitted the execution of the agreement to sell dated 04.10.2012, however, denied the execution of the agreement/ settlement dated 23.03.2013. The plaintiff was permitted to lead his evidence in affirmative and thereafter, the defendant led his evidence. Learned counsel representing the petitioner contends that defendant no.1 while appearing in evidence has now admitted his signatures on agreement/settlement dated 23.03.2013. He submits that the petitioner (plaintiff) now wishes to prove the signatures of defendant

no.1 on the stamp vendor's register.

The suit is based on the agreement to sell dated 04.10.2012 and the settlement dated 23.03.2013. It is the case of the learned counsel that the execution of the agreement to sell dated 04.10.2012 was admitted by defendant no.1 in his written statement whereas the execution of the agreement dated 23.03.2013 has been admitted by him in the cross examination.

In view of the aforesaid, there is no ground to permit the petitioner to examine any handwriting expert.

Disposed of.

All the pending miscellaneous applications, if any, are also disposed of.

21.12.2022

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE