

Kamlesh

...Petitioner

Versus

Bimlesh Devi and others

...Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Ms. Prarthana Duggal, Advocate for
Mr. Namit Khurana, Advocate
for the petitioner.

Ms. Archana Vashisht, Advocate
for respondent No.6 (UOI-Northern Railways).

Mr. Krishan Kumar Chahal, Addl. AG, Haryana.

GURBIR SINGH, J. (ORAL)

1. The present revision petition has been filed under Article 227 of the Constitution of India for setting aside the order dated 25.01.2024 (Annexure P-4) passed by the Ld. Civil Judge (Jr. Division), Jagadhri whereby the evidence of the petitioner/defendant No.1 had been closed by Court order.
2. Learned counsel for the petitioner submits that petitioner only wants to examine handwriting expert to prove the signatures of Ram Kumar Tyagi on the Will dated 11.06.2014 executed in favour of the petitioner/defendant Kamlesh.
3. Although there is inaction on the part of the petitioner/defendant No.1 but in the interest of justice parties should be given full opportunity to prove the case. Without commenting upon the merits of the case and in the interest of justice, order 25.01.2024 (Annexure P-4) passed by the Ld. Civil Judge (Jr. Division), Jagadhri is hereby set aside and this petition is disposed of with a direction to the concerned Court in case, any application is moved by

the petitioner for comparison signatures of Ram Kumar Tyagi on the Will dated 11.06.2014 with his specimen signature then the same be decided in accordance with the law and in case said application is allowed then one opportunity be granted to the petitioner to examine the expert for the said purpose.

4. If the respondents are not satisfied with this order, they can move an application within 30 days for recalling of this order.

5. Petition stands disposed of.

04.03.2024
Parveen kumar

(GURBIR SINGH)
JUDGE

Whether speaking/reasoned :Yes/No
Whether reportable :Yes/No