

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

130

CR-107-2024 (O&M)

Date of Decision: 10.01.2024.

M/s Chamanlal Kapil Kumar @ Kapil Mittal ...Petitioner.

Versus

Lakhvir Singh

....Respondent.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

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

Sukhvinder Kaur, J.

By way of present revision petition, the petitioner has challenged order dated 06.12.2023 passed by learned trial Court, vide which his application seeking permission for examination of Handwriting and Fingerprint Expert, was dismissed.

2. The plaintiff/ respondent filed a suit for recovery of Rs.50,00,000/- alongwith interest. During the course of proceedings when the case was fixed for defendant's evidence, the application was moved by the petitioner for examining the Handwriting and Fingerprint Expert, which was dismissed vide the impugned order dated 06.12.2023. Hence the revision petition was filed.

3. Learned counsel for the petitioner/defendant has contended that by examining Handwriting and Fingerprint Expert, defendant was just to elaborate the earlier stand taken in the written statement. The defendant wanted to examine the Expert in order to prove the difference in signatures of the respondent on the documents already exhibited on record, which had

been produced by the petitioner before the trial Court. He has also submitted that case is still at the stage of defendant's evidence and examination of said witness is required to plead the defence in an effective manner.

4. I have heard learned counsel for the petitioner and have gone through the relevant record.

5. The perusal of the application which had been moved by the petitioner/defendant for examining the Expert reveals that no details of the documents have been given signatures upon which were to be compared with the specimen signatures. The original documents were not produced on record and only photocopies of the documents were produced which could not be used for the purpose of comparing the signatures. Thus, it was a vague application. Moreover, as is evident from the impugned order the application was moved after availing numerous effective opportunities for adducing the defendant's evidence.

6. Thus, there being no illegality or infirmity in the impugned order, no interference there with is called for, while exercising the revisional jurisdiction. The present revision petition being bereft of any merits stands dismissed.

7. All pending applications, if any, also stand disposed of accordingly.

(SUKHVINDER KAUR)
JUDGE

10.01.2024.
komal

Whether speaking/ reasoned : Yes/ No
Whether Reportable : Yes/ No