

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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CR No. 1528 of 2014

Date of decision : February 28, 2014

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Balraj

.....Petitioner

Versus

Roopa and others

.....Respondent

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CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

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Present: Mr. Gourav Jain, Advocate for the petitioner.

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RAJIV NARAIN RAINA, J (ORAL)

The evidence of both the parties stands closed by order.

The plaintiff who is the petitioner before this Court availed nine wholesome opportunities including two of which were with imposition of costs to enable him to conclude his evidence. The learned trial Court has recorded in the order dated 17.2.2014 that in the application for leading evidence of an handwriting expert, the plaintiff has not even mentioned with which admitted signatures the comparison of disputed signatures is to be made. The prayer for permitting the plaintiff now to bring on record evidence of a finger print expert was not accepted by the trial Court for good and sufficient reason. The plaintiff has been granted sufficient opportunities to demonstrate his case by all means available to him

including the decree in Civil Suit No. 1091 of 1989 and of whether the father of the plaintiff signed all documents on the basis of which the decree was passed. For this controversy, no expert evidence is required. In my considered view, the order of the learned trial Court dated 17.2.2014 calls for no interference in exercise of writ jurisdiction under Article 227 of the Constitution of India as it suffers from no infirmity or lack of jurisdiction.

Dismissed.

February 28, 2014
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(RAJIV NARAIN RAINA)
JUDGE