

(2013) 08 P&amp;H CK 0854

## High Court Of Punjab And Haryana At Chandigarh

Case No: CR No. 4649 of 2013

Rajbir Singh

APPELLANT

Vs

Ved Parkash

RESPONDENT

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**Date of Decision:** Aug. 6, 2013**Hon'ble Judges:** K. Kannan, J**Bench:** Single Bench**Advocate:** Ram Bilas Gupta, for the Appellant;**Final Decision:** Dismissed

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**Judgement**

K. Kannan, J.

The suit for specific enforcement of agreement of sale was contested by the defendant declining an agreement. The parties have lead the evidence in full and after the conclusion of evidence the petitioner has filed the application for examination of the document by a hand writing expert. Learned counsel refers to me a judgment in [Damara Venkata Murali Krishna Rao Vs. Gurujupalli Satvathamma](#), where an application of defendant for sending the specimen signatures of the plaintiff to document expert for comparison with admitted signatures was directed to be considered. I do not think that any law as having been made that the application could be filed at any time. It is essentially a matter of discretion which the Court will exercise and ensure that unnecessary delays in the trial are not caused by such obstructive tactics adopted by the parties. The suit is of the year 2007 and trial has commenced and the plaintiff was examined in chief immediately thereafter. There is simply no justification for the plaintiff to come at this point of time for re-opening the case after both sides have concluded their evidence. The counsel refers to me yet another judgment of the Madras High Court in [Chinnappan and C.K. Dhanapal Vs. Chinnammal](#), I have already held that the discretion exercised by the Court was appropriately done and there is no scope for intervention in revision. The revision petition is dismissed.