

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLANT JURISDICTION

CIVIL APPEAL NO. 20039 OF 2017  
(Arising out of SLP(C) No. 23299 of 2017)

SUBRATA DAWN AND ORS.

Appellant(s)

Versus

SH. ALPANA DAS

Respondent(s)

O R D E R

Leave granted.

Despite service of notice, no body appears on behalf of the respondent.

By the impugned order dated 07.03.2017, the High Court has allowed the revision petition in which it has set-aside the order dated 11.01.2017 which rejected an application for yet another handwriting expert's report. The High Court while allowing the revision petition has called for a fresh report from the same expert. We find that the report dated 03.06.2013 of the handwriting expert clearly states that the undisputed signatures tally with the signatures on the gift deed. This being the case, it was wholly unnecessary to call for a second report and that too from the same expert.

In this view of the matter, we are of the view that the trial court judgment was correct and the High Court's judgment needs to be set-aside.

The appeal is accordingly allowed.

.....J.  
(ROHINTON FALI NARIMAN)

.....J.  
(NAVIN SINHA)

New Delhi,  
Dated: 1st December, 2017.

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 23299/2017

(Arising out of impugned final judgment and order dated 07-03-2017 in CO No. 761/2017 passed by the High Court At Calcutta)

SUBRATA DAWN & ORS.

Petitioner(s)

VERSUS

SH. ALPANA DAS

Respondent(s)

(returnable notice issued for 01.12.2017.)

Date : 01-12-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN  
HON'BLE MR. JUSTICE NAVIN SINHA

For Petitioner(s) Mr. Amit Kumar Singh, AOR  
MS. K.Enatoli Sema, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

Leave granted.

The appeal is allowed in terms of the signed order.

Pending applications, if any, shall stand disposed of.

(SHASHI SAREEN)  
AR CUM PS

(SAROJ KUMARI GAUR)  
BRANCH OFFICER

(Signed order is placed on the file)