

ORDER ON IA NO.2

Both advocates are present.

Heard both the sides on IA No.2 which is filed u/Sec.39(1) of BSA r/w Sec.151 of CPC.

Whether the disputed signatures found at Ex.P.4(a) to Ex.P.4(d) is required to be referred for the opinion of hand writing expert?

On the basis of MOU dated 22.08.2020 marked as Ex.P.4 the plaintiff filed this suit for recovery of suit claim. The defendant denied that the signatures marked as Ex.P.4(a) to Ex.P.4(d) are not of him. In the cross examination the defendant admitted that the signature found at Ex.P.5, Ex.P.6 and Ex.P.7 are of him.

In order to compare the disputed signatures with the admitted signatures IA No.2 has been filed. In her objections advocate for defendant *inter-alia* contended that the court can appreciate other circumstances to find out genuineness of Ex.P.4.

Under the prevailing circumstances, the court feels that opinion of expert is necessary to determine the real controversy in dispute between the parties. Since, the FSL is burdened with heavy assignments advocate for plaintiff cited a private institution Clue-4 Evidence Forensic Investigation Private Limited, No.26, 1st Floor, 1st Cross, Nandidurga, Road, Benson Town, Bengaluru-46. Learned counsel submitted that the said institution has authorization to tender its opinion. The proposal accepted.

IA No.2 is hereby allowed.

Office is hereby directed to send the admitted and disputed documents along with certified copy of IA No.2 to the said laboratory in a speed post with a request to assign the work to any qualified and competent hand writing expert to compare the signatures and to issue his report and also to depose in the court speaking on his report.

Plaintiff is directed deposit/pay the requisite charges.

Call on 05.12.2025.

**(JITHENDRANATH C.S.)
LXXXVI A.C.C. & S.J., Bengaluru**