

innawati Vs. Vinod Kumar

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Court : Madhya Pradesh

Decided On : Apr-12-2013

Appellant : innawati

Respondent : Vinod Kumar

Advocate for Pet/Ap. : Shri. Ashok Chakravarthy

Judgement :

1 W.P.No.5313/2013 12/4/2013: Shri Ashok Chakravarthy, learned counsel for the petitioner.

Challenge in this writ petition is made to an interlocutory order dated 11.1.2013 and 30.1.2013 by which learned Court has rejected an application filed by the petitioner for getting the finger prints in a Will examined by a finger print expert.

Taking note of the totality of circumstances, it is seen that application has been rejected mainly on the ground that the petitioner while recording the evidence has already got the Will exhibited and the Court cannot permit calling for an expert for collection of evidence.

That apart, in the order passed by the Court on 11.1.2013 it is indicated that without giving the particulars of the handwriting expert and details, a vague application has been filed.

Taking note of the fact that the application has been rejected in due exercise of powers of discretion, no case is made out for interference in a petition under Article 227 of the Constitution.

Petition is therefore, dismissed.

(Rajendra Menon) Judge Mrs.mishra

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