

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

Civil Appeal No(s). 6706/2013

MOHINDER SINGH

Appellant(s)

VERSUS

JASWANT KAUR (D) THR. LRS.

Respondent(s)

O R D E R

This appeal is directed against the judgment dated 15.01.2009 passed by the Punjab and Haryana High Court dismissing the appeal holding that there is no substantial question of law involved. The High Court held that a carbon copy of a document which carbon copy is signed by both the parties cannot be termed as an original document under Section 62 of the Evidence Act. This finding of the High Court is absolutely incorrect and against the provision of Section 62 of the Evidence Act. This carbon copy was prepared in the same process as the original document and once it is signed by both the parties, it assumes the character of the original document.

On this short ground, we allow this appeal and remit the matter to the High Court. We make it clear that we have not expressed any opinion on the merits of the dispute. It is for the High Court to decide whether any substantial question(s) of law arises and the appellant before us is entitled to any relief or not.

With these observations, the civil appeal is disposed of.

Pending applications, if any, stand disposed of.

.....J.
[DEEPAK GUPTA]

.....J.
[ANIRUDDHA BOSE]

NEW DELHI;
SEPTEMBER 11, 2019.

ITEM NO.60

COURT NO.13

SECTION IV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

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Date : 11-09-2019 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DEEPAK GUPTA
HON'BLE MR. JUSTICE ANIRUDDHA BOSE

For Appellant(s) Mr. Amrit Pal Singh Dhaliwal, Adv.
Mr. Kuldip Singh, AOR

For Respondent(s) Mr. Rajat Bhardwaj, AOR
Mr. Gaurav Kumar, Adv.

UPON hearing the counsel the Court made the following

O R D E R

The civil appeal is disposed of in terms of the signed order.

Pending applications, if any, stand disposed of.

(MEENAKSHI KOHLI)
COURT MASTER

(RENU KAPOOR)
COURT MASTER

[Signed order is placed on the file]