

IN THE HIGH COURT OF PUNJAB AND HARYANA, AT
CHANDIGARH

CR No. 2424 of 2012 (O&M)
Date of Decision: 07.08.2015

Ridhi

.....Petitioner

Vs.

Prem Singh Hooda and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Vivek Lamba, Advocate,
for the petitioner.

Mr. Neeraj Kumar, Advocate,
for the respondents.

SABINA, J.

Petitioner has filed this petition challenging the order dated 27.02.2012.

Learned counsel for the petitioner has submitted that so far as Order 6 Rule 5 of the Code of Civil Procedure, 1908 (for short 'CPC') for further and better statement of particulars is concerned, the same was deleted w.e.f. 01.07.2002. Petitioner could not be asked to furnish better particulars of the suit property.

Learned counsel for the respondents has submitted that the respondents have now filed their written statement during the pendency of this petition.

In the present case, petitioner has filed suit for possession by way of partition. During the pendency of the suit, defendants had not filed their written statement within the stipulated

period. Respondent rather moved an application for a direction to the petitioner for furnishing better particulars of the suit property. Since now the respondents have filed their written statement, it would just and expedient to set aside the impugned order whereby petitioner was directed to furnish better particulars of the suit property. Parties will lead evidence in support of their respective pleas. Hence, in the facts and circumstances of the present case and the fact that now respondents have filed their written statement, the impugned order to the extent whereby petitioner was directed to furnish better particulars of the dispute property is set aside.

Petition stands disposed of, accordingly.

**(SABINA)
JUDGE**

August 07, 2015
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