

**214 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**Civil Revision No.2926 of 2013
Date of Decision: September 01, 2015**

Neeta Rani

.... Petitioner

vs.

Ajmer Singh and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Sherry K. Singla, Advocate for the petitioner.

None for respondent No.1.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment?*
- 2. To be referred to the Reporters or not?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh J.(Oral)

Impugned in the present revision petition is the order dated 06.04.2013 (Annexure P-5) passed by learned Addl. Civil Judge (Sr. Divn.), Talwandi Sabo, vide which the defendant was allowed to put interrogatories to the plaintiff.

None has appeared for respondent No.1 today.

I have heard learned counsel for the petitioner and have also carefully considered the case of respondent No.1.

A perusal of the pleading shows that it is a money suit based on pronote and receipt. The case was filed under Order XXXVII CPC for recovery, in which the present application was filed by the defendant, vide which he sought to deliver the interrogatories to the plaintiff.

A perusal of the interrogatories produced in the impugned order shows that by way of interrogatories, the defendant probably wants to prove that the defendant is a money lender. However, no written statement is stated to have been filed.

Therefore, without taking a plea in the matter, no interrogatories can be allowed at the first instance. Secondly, no interrogatories can be allowed to be delivered unless the court finds that these are necessary.

In these circumstances, the impugned order is set aside. The trial court is directed to complete the pleadings and only thereafter at appropriate stage, if an application is filed for interrogatories, first consider whether these are relevant and necessary, then dispose of the matter.

Accordingly, the present revision petition stands allowed.

September 01, 2015
sarita

(KULDIP SINGH)
JUDGE