

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-7756 of 2016 (O&M)
Date of decision: 21.11.2022

M/s Countrywide Promoters Pvt. Ltd.

..Petitioner

Versus

Jagdish Kumar and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Adarsh Jain, Advocate, for the petitioner.

Mr. Johan Kumar, Advocate, for the respondents.

ANIL KSHETARPAL, J(Oral)

The plaintiff's (the petitioner herein) filed a suit for grant of decree of possession by way of specific performance of the agreement to sell with a consequential relief of permanent injunction which is pending before the trial court.

On an application filed by the defendants under Order XI Rule 12 and 14 of the Code of Civil Procedure, 1908, the trial court has directed the plaintiff to provide its Permanent Account Number (PAN), its Bank accounts number, PF number and list of accounts of the Directors. It is not disputed before this Court that the petitioner-company has already produced and proved the statement of three bank accounts in order to prove their capacity to pay the amount.

This Bench has heard the learned counsels representing the parties at length and with their able assistance perused the paper book.

On the one hand, the learned counsel representing the petitioner contends that the bank account details of the petitioner's sister concern companies have been sought which are not relevant for the decision of the

present case. He submits that the case of the plaintiff is required to stand on its own legs and in order to prove the same, sufficient evidence has already been led.

On the other hand, the learned counsel representing the respondents submits that the petitioner-company has many sister companies and the defendants want to prove that it was the plaintiff- company which was not ready and willing to perform their part of the contract and committed the default in payment.

The case is now fixed for defendants' evidence. The defendants can lead relevant evidence to prove their case. Once the plaintiff has already produced the bank statements of three different bank accounts belonging to it, the impugned order passed by the trial court directing the petitioner to provide details of Permanent Account Number (PAN), its Bank accounts number, PF number and list of accounts of the Directors is not appropriate.

Keeping in view the aforesaid facts, the order, in question, is set aside.

The revision petition is allowed.

All the pending miscellaneous applications, if any, are also disposed of.

November 21, 2022

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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*