

Ishwar Chand versus Anil Kumar

Present: Sh.S.S.Panjeta, Advocate for plaintiff.
Sh.Varinder Sehgal, Advocate for defendant.

Reply to the application moved on behalf of defendant filed. Heard. The defendant has filed the present application for directing the plaintiff to disclose all the list of cases filed by him, which are pending and decided along with name of witnesses examined by him in those cases along with sale tax number and his all bank accounts number and PAN Number along with statement of Income Tax Return. In reply to the same, it is submitted on behalf of plaintiff that no direction can be given to the plaintiff to supply the information as sought in the present application. Moreover, it is for the defendant to prove his case by way of adducing evidence and the other case filed by plaintiff has no bearing in the present case. In the end, a prayer for dismissal of the application has been made.

In the considered opinion of this court, when the case was fixed for evidence of defendant, the present application has been moved. If the plaintiff do not supply the information as required by the defendant, and which he assured to produced during the course of his evidence, consequently inference, if any shall be drawn against him. However, the plaintiff cannot be compelled to supply information against his wishes. Moreover, it is for the defendant to show how the proposed information is relevant to the facts of the present case, which he failed. With these observation, the application in hand stands disposed of.

Now, the case is adjourned to **12.02.2016** for the evidence of defendant at own responsibility.

(Vijay James)
CJ(SD)/18.01.2016

Typed by Sunita