

**BEFORE THE PRESIDING OFFICER, IN THE 2ND LABOUR
COURT AT AURANGABAD**
(Presided over by S. S. Sahasrabudhe)

Ref.IDA No.45/2018
CNR No.MHLC200003252018

ORDER BELOW EXH.U-52
(Passed on this 15th day of July, 2022)

1. Second Party has filed this application for giving direction to the Party no.1 as per Order 6 Rule 5 of CPC for supplying the better particulars mentioned in the application. It is submitted that second party was working with first party. Service records of second party were maintained by first party. Therefore, all the details can be provided by first party. Hence directions in that regard are necessary.
2. On the other hand first party has filed say at Exh.C-35. It is submitted that the provision contained in Order 6 rule 5 has already been omitted by virtue of amendment in CPC. Therefore, the application is not tenable. It is also submitted that the second party is having knowledge about all particulars, therefore directions as sought are not necessary. It is also submitted that due to amalgamation the particulars are not available with first party. Therefore, the first party prays to reject the application.
3. Heard both the parties. It appears that the second party has filed this application as per Order 6 Rule 5 of CPC and thereby sought better particulars from first party. The provision of better particulars was omitted by the amendment Act 1999 w.e.f. 01.07.2002. This amendment in CPC was carried out prior to 20 years still it very clear that the second party has filed this application as per that provision.

..2..

Hence, certainly the directions as sought cannot be given to the first party. Hence, only on this ground the application is not tenable. Hence, it is liable to be rejected. In the result, I pass following order :-

Order

The application is hereby rejected.

Aurangabad

Date : 15.07.2022

Order dictated on : 15.07.2022

Order transcribed, checked and signed on : 15.07.2022

GMP/-

(S. S. Sahasrabudhe)
Presiding Officer,
2nd Labour Court, Aurangabad