

TS - 08/12

Order no.68 dated 01-03-2016

Today is fixed for hearing of petition dated 14-09-16 under order 11 rule 1 read with section 151 of CPC.

LD. For the defendant raised objection.

Heard. Considered.

Petition under order 11 rule 1 read with section 151 of CPC dated 14-09-16 is filed by the plaintiff.

Both parties files hazira.

Record is taken up for hearing and passing necessary order.

The Ld. Advocate for the plaintiff submits that in the WS it has mentioned that the suit will fail for defects of parties, for which the schedule noted questions are required to be answered by the defendant and such information is very much required otherwise the suit of the plaintiff will fail.

Heard both sides at length

Now considering the interrogatory I am of the opinion that for proper dispensation of justice and final determination of rights of parties such interrogatory should be answered by the defendant. Moreover, it appears that the interrogatories made are not scandalous or irrelevant or malafied.

Hence, it is,

ORDERED

that the petition u/o. 11 rule 1 of CPC of the plaintiff is allowed on contest and the defendant is directed to answer those interrogatories .

Hence, petition dt. 14-09-16 stands disposed of.

Fix _____ for filing the particulars (answers) required by the interrogatories.