

(1989) 07 AHC CK 0109
In the Allahabad High Court
Case No : Civil Revision No. 503 of 1983

Raghubir Saran and Others	Vs	APPELLANT
Krishna Kumar		RESPONDENT

Date of Decision : 05-07-1989

Acts Referred:

Civil Procedure Code, 1908 (CPC) — Order 6 Rule 5

Citation : (1989) 2 AWC 992

Hon'ble Judges : D.S. Sinha, J

Bench : Single Bench

Advocate : P.K. Singhal, for the Appellant;

Final Decision : Dismissed

Judgement

D.S. Sinha, J.—The list has been revised. No body appears for the parties.

2. In Original Suit No. 36 of 1979, Chaudhari Krishna Kumar v. Raghubir Saran and others pending in the court of Judge, Small Causes, Moradabad, the applicants, who figure as Defendants, raised a plea to the effect that the suit was wrongly valued. They further asserted that the value given in Schedule Ka had been wrongly given, and that the real price given by Plaintiff was much less. It was also the plea of the applicants that the value of the property shown by the Plaintiff was more than the marked value. In support of these pleadings the applicants did not give any detail. By means of the order dated 25th August, 1982, impugned in the instant revision, the applicants have been called upon to give details.

3. Under Rule 5 of Order VI of the Code of Civil Procedure, 1908 court can always, in all cases, order furnishing of a further and better statement of the nature of the claim or defence, or further and better particulars of any matter stated in any pleading.

4. Obviously, the pleadings, noticed earlier, lack precision. The court below was, therefore, perfectly justified in requiring the applicants to give further details,

and in doing so it did not commit any illegality or material irregularity in the exercise of its jurisdiction.

5. The revision has no force and is, therefore, dismissed but without any order as to costs. The interim order stands discharged.