

A.No.7286 of 2015

in C.S.No. 463 of 2015

K.K.SASIDHARAN,J.

This application is directed against the order dated 25.1.2016 in Application No.7286 of 2015, whereby and whereunder the learned Master, after agreeing with the case pleaded by the applicants, ultimately dismissed the application.

2. The applicant filed an application in A.No.7286 of 2015 directing the respondents herein to furnish certain particulars with respect to the constitution of the firm.

3. The application was opposed by the respondents.

4. The learned Master recorded the arguments on the side of the parties and agreed with the submissions made by the learned counsel for the applicant. Thereafter, very strangely, the Master dismissed the application.

5. The learned counsel for the respondents fairly submitted that he has no objection in producing the documents required by the applicant, after setting aside the order passed by the Master.

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6. The order passed by the learned Master indicates that the intention originally was to allow the application, taking into account the submissions made on behalf of the applicant. However, very strangely, in the ultimate paragraph, the learned Master, without supplementing any reason, dismissed the application. I am not in a position to accept the order passed by the learned Master on account of the contradictory stand taken by him in the last paragraph of the order. In any case, the respondents have no objection in producing the documents. Such being the factual position, I am of the considered view that the application deserves to be allowed.

7. The application in A.No.7286 of 2015 is allowed. The respondents are granted one week time to produce documents sought for by the applicant in A.No.7286 of 2015.

8. Post the matter before the Master for recording evidence.

08.03.2016

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