

APPLICATION NO.4992 OF 2016
IN C.S.NO.1138 OF 2009

PUSHPA SATHYANARAYANA, J.

This application is filed by the applicants/defendants seeking permission to file the documents listed in the affidavit in the above suit.

2. Heard the learned counsel for the applicants / defendants and the learned counsel for the respondent / plaintiff.

3. Considering the submissions made by the learned counsel for the applicants and also going through the averments made in the affidavit, I am inclined to allow the application, but however, the documents sought to be marked as additional evidence can be marked subject to proof, relevancy and admissibility at the time of evidence.

4. Therefore, the applicants/defendants are permitted to file the documents, subject to proof and relevancy of those documents. It is open to the parties to raise their objections with regard to the admissibility and relevancy of those documents at the time of recording the evidence before the learned Additional Master-IV and the learned Master shall record such objections leaving it to the Court to decide about the admissibility and relevancy of those documents at the time of arguments.

PUSHPA SATHYANARAYANA, J.

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5. With the above observations, the application is allowed. The Registry is directed to list the matter before the learned Additional Master-IV on 03.10.2016 for recording further evidence. The learned counsel for the applicants / defendants shall produce the original documents before the learned Additional Master-IV, at the time of recording evidence. It is also directed that both the parties shall co-operate with the learned Additional Master-IV, in recording the evidence. As the suit is of the year 2009, the trial has to be completed on or before 31.10.2016.

29.09.2016

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