

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2016

CORAM

THE HONOURABLE Mrs.JUSTICE PUSHPA SATHYANARAYANA

APPLICATION No.6053 of 2016

IN C.S.No.739 of 2013

M/s.Triton Healthcare Pvt.Ltd
A Company Registered under the Companies Act,1956

...Applicant

-vs

Anup Dalmia
Proprietor
M/s.B.S.Enterprises
A Proprietorship Firm

... Respondent

Application filed praying to permit the first defendant / applicant to file the additional documents as detailed in the list.

For Applicant :Mr.V.G.Suresh Kumar

For respondent : Mr.M.V.Swaroop

O R D E R

The above application is filed to permit the applicant / first defendant to file the additional documents in the above said suit.

2. Heard the learned counsel appearing for the applicant / first defendant and the learned counsel appearing for the respondent.

3. Considering the submissions made on either side 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 applicant/first defendant is 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-I 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.

5. With the above observations, the application is allowed. The Registry is directed to list the matter before the learned Additional Master-I for recording further evidence on 14.12.2016. The learned counsel for the

applicant/first defendant shall produce the original documents before the learned Additional Master at the time of recording evidence. It is also directed that both the parties shall co-operate with the learned Additional Master-I in recording the evidence.

18.11.2016

srn

PUSHPA SATHYANARAYANA, J,
srn

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