

A.No.8275 of 2019

in

C.S.No.896 of 2015

N.SATHISH KUMAR, J.

This application has been filed to receive the additional documents.

2. The main contention of the applicant is that when the respondents left the company of the plaintiff they removed the data from the computer and only some data could be retrieved in the Forensic Audit Report and hence, the documents have to be received to prove their case.

3. The learned counsel for the respondents has submitted that this application has been filed after much delay and hence, some cost has to be imposed.

3. In my view, mere marking will not amount to proof to prove is a distinct act. It has to be established by the party at the time of trial.

4. Considering the nature of averments in the affidavit and in order to give fair opportunity to the parties to adduce appropriate evidence, this application is allowed.

5. The documents may be received in evidence subject to admissibility and any objection raised by the other side, shall be noted by the Master and the same shall be dealt by this Court at the time of final disposal of the suit.