

A.Nos.8858, 8859, 8860 of 2019
in C.S.No.522 of 2012

DR.G.JAYACHANDRAN,J.

These applications are filed by the applicant, to reopen the plaintiff's evidence, to receive the additional documents and to recall PW.1 and permitted him to mark documents.

2. These Applications are strongly opposed by the defendants on the ground that, it is neither relevant nor permissible, after completion of examining of the witnesses.

3. No doubt, under the Commercial Courts Act, the documents relied has to be finalised even before recording of evidence. The Applications of this nature cannot be entertained, however taking note of the fact that, the suit is of the year 2012 tried as regular suit and documents now sought to be marked are the artistic work of the plaintiff's father executed several decades ago and the dispute is whether the defendant has copyright over those artistic work or not.

4. According to the Learned Counsel for the defendants, the additional documents are either prior to the period or subsequent to the expiry of the engagement of the plaintiff's father in the defendant's firm.

4. In such circumstances, this Court is of the view that, it is not necessary to reopen the plaintiff side evidence and recall PW.1. Accordingly, ***these Application Nos.8858 & 8860 of 2019 are dismissed.***

5. The Application to receive the Additional documents is allowed, received subject to proof and relevancy. By consent, documents listed in the schedule to application are marked as Ex.P.34 to Ex.P.49. Accordingly, the ***Application No.8859 of 2019 is allowed.***

6. Post the case for arguments on 19.02.2020.

27.01.2020

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