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A.Nos.643 & 645 of 2020

in

C.S.No.642 of 2019

(Comm. Suit)

N.ANAND VENKATESH, J.,

In view of the fact that the written statements have already been filed by both the defendants and the second defendant is also going to rely upon some documents, no useful purpose will be served in dealing with these two applications at this stage. If according to the second defendant, there is no real prospect for the plaintiff to succeed in the claim and there is no compelling reason to send the matter for oral evidence, it is for the second defendant to take a call as to whether they can work out the remedy under Order XIII-A of the Code of Civil Procedure, 1908, seeking for summary judgment. This Court is not giving any suggestion to the second defendant and it is left open to the second defendant to take a decision accordingly.

2. Accordingly, these two applications are closed.

12.11.2021

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