

A.No.3027 of 2021
in
C.S(Comm.Div.).No.601 of 2018

DR.G.JAYACHANDRAN, J.

It is now brought to the notice of this Court by the learned counsel for the plaintiff that while determining the Case Management Hearing, this Court has inadvertently given the dates for examination of the 1st defendant witness between 31.08.2021 and 07.09.2021. Since the 1st defendant has failed to file his written statement within the period prescribed under the statute, the right to file the written statement was forfeited by order of this Court dated 17.02.2021. While so, the 1st defendant have no right to marshal their witness.

2. The above submissions made by the learned counsel for the plaintiff is in accordance with the procedure contemplated by the Code of Civil Procedure, therefore, the dates between 31.08.2021 and 07.09.2021 fixed for examination of witnesses on behalf of the 1st defendant is to be deleted. The learned counsel for the plaintiff and the defendants state that the plaintiff has completed the examination of witnesses and no further witness on their side. Therefore, the matter is reverted back to the Additional Master I for

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rpl/dk

examination of witnesses on behalf of the 2nd defendant between 09.09.2021
and 23.09.2021.

3. This application is allowed with the above modification.

rpl/dk



03.09.2021
1/2

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