



WEB COPY

A.No.3932 of 2021
and
C.S.No.416 of 2019
N.ANAND VENKATESH.,J

This application has been filed by the applicant / plaintiff seeking for leave of this Court to file additional document, which is a sale notice dated 22.03.2016, which was issued under the SARFAESI Act.

2. This application has been opposed by the respondents/defendants by filing a counter affidavit. The main ground on which the respondents have opposed this application is that the additional document pertains to the notice issued to the sister concern namely M/s.Rarefield Engineers P Ltd., which is a separate legal entity. Therefore if at all the applicant wants to reply upon this document, the sister concern must be made as a party in this suit failing which the applicant cannot rely upon this document.

3. Heard Mr.T.V.Badrinarayanan, learned counsel for the applicant and M/s.Aiyar and Dolia, learned counsel for the respondents.

4. In the considered view of this Court, this Court is only in the process of dealing with this application to permit the applicant to file additional document. The relevancy of this document and the extent to which it can be relied upon by the applicant, are matters for consideration when the said document is marked and is relied upon by

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the applicant / plaintiff. That stage is yet to reach and that exercise need not be undertaken while dealing with this application. It is made clear that the objections made by the respondents will be taken into consideration at the time when the applicant relied upon this document.

5. In the result, this application is allowed and the applicant / plaintiff is permitted to file the additional document. In the facts and circumstances of the case, there shall be no order as to costs.

30.11.2021

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