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Application No.3926 of 2021

in

C.S.No.895 of 2015

(Commercial Division)

N. ANAND VENKATESH, J.

This application has been filed by the applicant/defendant seeking for leave of this Court to file additional documents.

2.This application has been filed on the ground that there are various Companies which have registered in the name of "Poorvika" with different activities and the plaintiffs have not taken any action against them and where as the defendant has been targeted and a frivolous suit has been filed. The applicant had also put certain questions in this regard during the cross examination of PW-1. In order to substantiate that there are other Companies which carry the name "Poorvika" , the present application has been filed to mark those documents containing the same name and which is available in the website of the Ministry of Corporate Affairs.

3.A counter affidavit has been filed by the respondents/plaintiffs opposing the application.



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4.Heard Mr.R.Saravanan, learned counsel for the applicant and Mr.S.Patrick, learned counsel for the respondents.

5.A careful reading of the written statement filed by the applicant shows that the applicant has not taken a stand in the written statement to the effect that there are many other entities which also have the similar name "Porrvika". The present application has emanated by virtue of certain questions that were put to PW-1 during cross examination.

6.The basis on which the applicant is seeking for filing of additional documents is not found in the written statement. If really the applicant wanted to make use of the documents containing the names of the other entities carrying the name "Poorvika", the same ought to have done in the course of cross examination of PW-1. Such a right was available to the applicant by virtue of Section 145 of the Evidence Act. The questions that were put to PW-1 during cross examination, cannot be a relevant factor to seek for filing additional documents for which there is no basis in the written statement.

7.In view of the above, there is absolutely no ground to grant leave to the applicant to file additional documents .



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8. In the result, this application stands dismissed.

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