



WEB COPY



A.No.4702 & 4703 of 2021

A.No.4702 & 4703 of 2021
in
C.S.No.715 of 2015

N.ANAND VENKATESH. J.,

Heard Mr.Bijay Sundar, learned counsel for the applicant and Mr.Vaibhav, learned counsel for the respondents.

2.These applications have been filed pursuant to the orders passed by this Court on 07.12.2021. A.No.4702 of 2021 has been filed to re-call PW1 to mark additional documents and A.No.4703 of 2021 has been filed seeking the leave of this Court to file the additional documents.

3.During the course of cross-examination, the learned counsel appearing on behalf of the defendants, while putting certain questions, had also asked PW1 as to whether he can produce certain documents. At the time of answering those questions, PW1 stated that he can produce the relevant documents. It is in these circumstances, the additional documents are sought to be brought in by the plaintiff.



A.No.4702 & 4703 of 2021

WEB COPY

4. There are totally 12 documents that are sought to be brought in as additional documents. The additional documents Nos.1 to 6 pertain to certain questions that were put to PW1 and accordingly these documents are sought to be filed based on statement made by PW1 that he will produce the relevant documents.

5. Insofar as, document No.7 is concerned, the same is sought to be related to question No.75 that was put to the witness. While putting this question, the witness was not asked to produce any document and he was only asked to explain from the available balance sheet. That apart, this document is opposed by the learned counsel for the defendant. In view of the same, this Court is not inclined to permit additional document No.7 to be marked on the side of the plaintiff.

6. Insofar as, the document Nos.8 and 9 are concerned, these documents are sought to be brought in as an answer to question Nos.82 and 83 that was put to the witness. These documents can be permitted to be marked subject to the objections raised by the learned counsel for the defendants. The relevance of these documents will be independently gone



A.No.4702 & 4703 of 2021

into at the time of final hearing of the suit.

WEB COPY

7.Insofar as, additional document Nos.10 to 12 are concerned, the same need not to be marked and the same is rejected.

8.To sum up, PW1 can be re-called to mark the additional document Nos.1 to 6, 8 and 9 and insofar as the other additional documents are concerned, the same is rejected.

9.Both these applications are disposed of accordingly.

15.12.2021
(1/2)

nsa



WEB COPY



A.No.4702 & 4703 of 2021

N.ANAND VENKATESH.,J

nsa

A.No.4702 & 4703 of 2021
in
C.S.No.715 of 2015

15.12.2021



WEB COPY



A.No.4702 & 4703 of 2021

(1/2)