



A.No.902 of 2022
in C.S.No.95 of 2019

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SENTHILKUMAR RAMAMOORTHY J.

This application is filed by the first to third defendants in the suit to eschew the evidence of PW1. The applicants/defendants state that PW1 was examined in chief. However, PW1 died on 13.03.2021 before he could be cross-examined. The present application is filed in the said facts and circumstances.

2. The plaintiffs state that they would adduce evidence through another witness in substitution for PW1. It is just and necessary that the contesting defendant should have the opportunity to cross-examine the witness through whom the plaintiffs lead evidence.

3. Accordingly, A.No.902 of 2022 is disposed of by permitting the plaintiffs to adduce evidence through a different witness in substitution for PW1 in view of the demise of PW1 before he could be cross-examined.

24.03.2022

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SENTHILKUMAR RAMAMOORTHY, J

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