



A.No.1572 of 2022

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in C.S.(Comm.Suits) No.926 of 2017

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SENTHILKUMAR RAMAMOORTHY,J

This application is filed to eschew the evidence of D.W.1. By order dated 04.03.2022, a revised case management schedule was fixed for the examination of D.W.1. Pursuant thereto, D.W.1 was present before the learned Additional Master No.IV on 31.03.2022 to record evidence. However, on account of ill-health, as recorded by the learned Master, he was unable to depose. The present application is filed in these facts and circumstances.

2. It is submitted on behalf of the defendant that evidence would be adduced through Mr.N.G.Yabesh, the Manager of the defendant, instead of through Mr.J.Srinivasan, sole Proprietor. The respondents / plaintiffs are agreeable to this course of action.

3. Accordingly, A.No.1572 of 2022 is disposed of by permitting the defendant to adduce evidence through Mr.N.G.Yabesh in substitution for Mr.J.Srinivasan.



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4. After ascertaining the availability of Mr.N.G.Yabesh and the convenience of counsel, the following schedule is fixed:

<i>Sl.No.</i>	<i>Activity</i>	<i>Dates</i>
1.	Filing of proof affidavit of Mr.N.G.Yabesh (D.W.2).	On or before 20.04.2022
2.	Examination of Mr.N.G.Yabesh.	20.04.2022 to 29.04.2022
3.	Service of proof affidavit of D.W.3 on the plaintiff.	On or before 06.06.2022
4.	Examination of D.W.3.	06.06.2022 to 17.06.2022

5. List the matter before the learned Additional Master No.IV on 20.04.2022 for recording evidence in accordance with the above schedule.

6. List the matter before this Court on 01.07.2022 for filing written arguments and convenience typed sets.

13.04.2022

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