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A.Nos.4941 to 4943 of 2021
in C.S.No.884 of 2013

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N.SESHASAYEE, J.,

These applications taken out by the plaintiff to receive the documents and to recall P.W.1 and mark the additional documents and also to reopen the trial.

2.Heard the learned counsel for the respondents/defendants.

3.Learned counsel for the respondents/defendants make a strong statement that these applications are belated and that it would cause considerable inconvenience to the defendants.

4.After weighing the rival submissions as presented before this Court, this Court needs to require that this a Court of first instance and more significantly the Court of facts and not just law. Necessarily the Court has to provide some latitude to the parties as to what is the best evidence to support their case. Hence, this Court allow the application. So far as the



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application to receive the documents in A.No.4941 of 2021 is concerned, the same is allowed subject to proof, relevancy and admissibility. The defendants may take such necessary objections at the time of the document is marked.

5.The learned Master is required to specify the nature of the objections that may be raised before him by the defendants.

04.01.2022

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