



WEB COPY



A.No.4669 of 2022

in

C.S.No.247 of 2020

C.V.KARTHIKEYAN, J.

This Application has been filed seeking to reopen the evidence of the plaintiff's side, which had been closed owing to non-appearance of the witness, consistently, before the learned Additional Master – III.

2.It had been stated by the learned counsel for the plaintiff that the witness who was proposed to be examined had been transferred to Africa and therefore, the said witness could not present himself to tender evidence. It is now stated that the plaintiff has authorized another witness to depose evidence. In view of that particular fact, it is stated that opportunity may be granted to the plaintiff to tender evidence and that therefore, the evidence which had been closed should reopen.

3.Heard the learned counsel for the defendants. It is contended by the learned counsel for the defendants that the defendants also have a counter claim and therefore, it is only proper that the defendants also given an opportunity to tender evidence with respect to the counter claim. Therefore, the evidence of the plaintiff is reopened and this Application is allowed.

03.11.2022

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