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A.No.4531 of 2022

in

C.S.No.109 of 2021

C.V.KARTHIKEYA, J.

This application has been filed to mark xerox copy of Document Nos.1 and 2 which have been filed along with the plaint as secondary evidence. The said documents and a Joint Venture Agreement dated 26.07.2013 and Power of Attorney registered as Document No.5795 dated 10.04.2014.

2.With respect to the Power of Attorney a direction is issued that the certified copy has to be produced.

3.With respect to the Joint Venture agreement dated 26.07.2013, for which permission is sought to produce the xerox copy, learned counsel for the defendants raised an objection stating that the joint venture agreement was with respect to the third parties *inter se*, and the defendant was not a party to the the said document. It may be marked subject to the admissibility and arguments on admissibility shall be advanced at the time of arguments of the suit. It is made clear that



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giving an exhibit number will not automatically mean that the Court will rely on the said document. Issue of admissibility will have to be examined. Issue of relevancy will also have to be examined and whether the said document is at all required to adjudicate the issues that arise for consideration will also have to be examined.

4. The application stands allowed.

5. Post the matter before the learned Additional Master-IV for continuation of recording of evidence. Witness to appear on 14.11.2022.

26.10.2022

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