



A.No.142 of 2023
in T.O.S.No.9 of 2015

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N.SESHASAYEE, J.,

This application is taken out for production of certain documents by the first defendant to resist the Testamentary Original Suit along with the second defendant.

2.Learned counsel for the plaintiff submitted that only photocopies of the documents are proposed to be marked, to which the counsel for the defendants would say that they are essentially certified copies of the documents.

3.Subject to proof, relevancy and admissibility, this application is allowed but subject to the rider, that the second defendant is required to explain why he could not produce the primary evidence of the documents which he now seeks to produce in evidence. However, the decision on the explanation to be offered by the second defendant will be made only during final hearing of the suit.

10.01.2023

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