



A No.1219 of 2022
in C.S. No.602 of 2007

ABDUL QUDDHOSE, J.

This application has been filed seeking for reception of additional documents.

This application has been filed after the commencement of trial. The trial commenced in the year 2019. The applicant seeks permission of this Court for reception of the following documents:

<i>S.No</i>	<i>Date</i>	<i>Description</i>	<i>Nature of Document</i>
1.	20.12.2021	Authorisation letter issued in favour of Mr.Mohan Kumar to let in evidence	Original
2.	24.02.2007	Report of Mr.Mohan Kumar who did the inspection of the parts of the tractors of the Plaintiff and Defendant	Original
3.	--	The passport copy of Mr.Mohan Kumar	Photocopy

2.The respondent/defendant has raised the following objections for reception of the aforementioned documents:

a) No explanation has been furnished by the plaintiff as to why the said documents have not been filed till now.

b) Unexplained delay of 15 years

c)It would take away the valuable right of the respondent to cross-examine or render the right to cross-examine merely on an empty formality and it would be against the very purpose of cross-examination.



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3. Even though, objections have been raised by the respondent/defendant as stated *supra*, this Court after giving due consideration of the nature of documents, is inclined to allow this application. However, it is made clear that the documents are allowed to be received subject to its admission, proof and relevancy. The learned counsel for the respondent/defendant is permitted to raise all the objections with regard to the veracity of the documents in the main suit.

4. For the foregoing reasons, this application is allowed as prayed for and the documents disclosed in the affidavit filed in support of this application is allowed to be received and marked as Exhibits subject to its admission, proof and relevancy. The liberty is also granted to the respondent/defendant to raise all the objections with regard to the veracity of the documents in the main suit.

28.11.2023

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