



A.No.2509 of 2023

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**in**  
**C.S.(Comm.Div)No.106 of 2022**

**S.SOUNTHAR, J.**

The instant application has been filed by the plaintiff seeking leave of the Court to file additional documents which are not filed along with the plaint or reply statement of the plaintiff.

2. The respondent has filed a counter affidavit and opposed this application.

3. According to the applicant, in the reply affidavit filed by the plaintiff to the written statement of the respondent/defendant a reference was made to an RBI Circular dated 16.10.2000 and the said circular was not filed along with reply statement. Likewise, in the reply statement it is stated that the applicant company has closed its account with the defendant Bank and moved to



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another bank namely ICICI Bank since the facilities and concessions offered were better than those offered by the defendant bank. The document evidencing the facilities and concessions offered by ICICI Bank was not filed along with the reply statement.

4. It is asserted by the applicant that the RBI circular and the document evidencing the facilities and concessions offered by the defendant bank which were referred in his reply statement are very much relevant for adjudication and disposing the suit.

5. This application is opposed by the respondent mainly on the ground that these documents are not relevant to decide the issue involved in the suit. The relevancy of the document cannot be considered at this stage and the same has to be decided by the Court at the time of final disposal of the suit. Therefore, this Court is of the opinion that the documents sought to be produced by the



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applicant/plaintiff shall be allowed to be received in evidence subject to the relevancy and proof.

**6.** Accordingly, this application is allowed.

**09.06.2023**  
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