

BEFORE THE HON'BLE JUSTICE MR. N. SATHISH KUMAR

CS.No.113 of 2023

Date : 02.11.2023

Time : 03.05 P.M.

Evidence of Mr.R.Desikan, P.W.1, aged about 60 years, S/o Mr.P.Rajagopalan, residing at No.18, Sivaraman Street, Mandaveli, Chennai – 600 028.

In continuation of Proof Affidavit, Chief Examination by
Ms.Aarthi Rao, Counsel for the Plaintiff.

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Solemnly Affirmed:

I am the Company Secretary of the plaintiff herein. I am filing my proof affidavit stating the facts of this case, the same may be treated as part and parcel of my evidence in chief. In continuation of proof affidavit, I am now marking the following documents:

Ex.P1 is the original Board Resolution dated 24.04.2023.

Ex.P2 is the copy of the email communication dated 25.02.2021 of Mr.B.T.Prabhakar addressed to the Plaintiff requesting loan for the defendant.

Ex.P3 is the original Loan Agreement dated 25.02.2021 between the Plaintiff and the Defendant.

Ex.P4 is the original HDFC Bank Statement of the Plaintiff reflecting the loan transaction for the period from 23.02.2021 to 26.02.2021.

Ex.P5 is the copy of the email communication dated 02.03.2021 from the official email ID of Mr.B.T.Prabhakar on behalf of the defendant, regarding loan.

Ex.P6 (series 4 Nos.) are the original IDBI Bank cheques in Nos.448908 to 448911 dated 30.03.2021 issued by the Defendant in favour of the Plaintiff.

Ex.P7 is the photocopy of the Plaintiff's letter dated 04.08.2021 to the Defendant regarding repayment of loan.

Ex.P8 is the photocopy of the Demand Notice dated 24.12.2021 issued by the Plaintiff to the Defendant under the Insolvency Bankruptcy Code, 2016.

Ex.P9 is the photocopy of the Defendant's Reply Notice dated 26.04.2022.

Ex.P10 is the photocopy of the Plaintiff's response dated 26.04.2022 to the Reply Notice of the defendant.

Ex.P11 is the photocopy of the Plaintiff's Financial Statement dated 05.07.2022 for the year 2021-2022 reflecting the loan advanced to the defendant (Compared and verified with the original).

Ex.P12 is the Plaintiff's Client Ledger for M/s.ETA General Pvt. Ltd. from the Financial Year 2016-17 to 2020-21.

Ex.P13 is the Certificate dated 10.10.2023 under Section 65B of Indian Evidence Act.

I, pray this Hon'ble Court that this Suit may be decreed as prayed for.

Time: 03.45 P.M.

RT