



WEB COPY



A. No.5509 of 2023

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in
C.S.(COMM. DIV) No.53 of 2022

ABDUL QUDDHOSE, J.

B.G. Shirke Construction Technology pvt. Ltd. .. Applicant
vs.
Tamil Nadu Transmission Corporation Ltd. .. Respondent

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This Court by its order dated 25.08.2023 recorded the fact that the applicant / plaintiff has been repeatedly seeking time to take out an application for reception of additional documents. In the said order it was made clear by this Court that the application once taken up for hearing will be considered only upon payment of costs by the applicant / plaintiff. Thereafter the matter was adjourned on several occasions and ultimately the application filed by the applicant / plaintiff seeking for reception of additional documents is placed before this Court today and the said application is numbered as A. No.5509 of 2023. The applicant / plaintiff seeks time to file certain correspondence in the form of e-mails, which is disclosed in the schedule to this application. The Section 65B Certificate has also been enclosed along with the documents. The learned counsel for the respondent has appeared through video



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conferencing. This Court after giving due consideration to the contents of the affidavit is of the considered view that sufficient cause has been shown by the applicant for filing this application. However, the documents disclosed in the affidavit will have to be received only subject to its proof admissibility and relevancy.

2. Since this Court had made it clear in its order dated 25.08.2023 that costs will be imposed, this application is allowed as prayed for subject to the condition that the applicant / plaintiff deposits with the Cancer Institute, Adyar, Chennai, a sum of Rs.10,000/- (Rupees ten thousand only), within a period of one week from the date of receipt of a copy of this order. The documents are allowed to be received subject to its proof, admissibility and relevancy.

3. Both the learned counsels are directed to file a joint draft revised Case Management Schedule on the next hearing date.

4. Post the matter for Case Management Hearing on 02.11.2023.

19.10.2023

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