



WEB COPY



A.No.5745 of 2023
in
C.S. (Comm. Div.) No.31 of 2021

ABDUL QUDDHOSE.J.,

This application has been filed for reception of additional documents.

The additional documents sought to be received are as follows:

- a) Assignment Agreement dated 05.12.2000;
- b) Cash receipt issued by P.K.Ramachandran Pillai dated 05.12.2000;
- c) Cash receipt dated 05.02.2001 issued by one Shaji Kumar on the side of the plaintiff.

2. A counter affidavit has been filed by the first respondent / first defendant, objecting to the reception of the above mentioned documents. Their main contention is that the said documents are forged and fabricated documents and cannot be permitted to be received. However, this Court is of the considered view that no prejudice will be caused if the documents are allowed to be received and marked as exhibits subject to its admission, proof and relevancy.



ABDUL QUDDHOSE.J.,

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3. The first respondent / first defendant is always having the liberty to cross examine on the veracity of the documents and therefore, allowing of this application subject to the admission, proof and relevancy of the documents will not prejudice the first respondent / first defendant. Hence, this application is allowed as prayed for. However, it is made clear that the documents are allowed to be received subject to its admission, proof and relevancy.

4. Post the matter for case management hearing on 22.11.2023. All the counsels are directed to file a revised draft case management schedule on the next hearing date without fail.

15.11.2023

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