

January 31, 2024
Sl. No.6
Court No.19
s.biswas

CO 3720 of 2023

Ashish Kumar Sinha

vs.

Saibal Kumar Sinha and others

Mr. Debanik Banerjee

Mr. Sayan Sinha

Mr. Steven S. Biswas

Mr. Aniruddha Ganguly

... for the petitioner

Mr. Arnab Mukherjee

Ms. Shreyasi Manna

... for the opposite party no.1

Upon hearing the learned advocates for the respective parties, this court finds that the only modification in the order dated September 5, 2023 is that ALL the documents marked 'X' for identification shall be marked as exhibits. Proof the contents of the letter issued by the learned advocate Mr. Sukanta Chakraborty and the corroborative value of the exhibit, shall be decided at the trial. The petitioner's case is that, in the usual course of business the documents were received by him through post. He has tendered those documents with postal envelope and receipts, and they were marked 'X' for identification. The court found them relevant. Thus those documents should be marked as exhibits. The opposite parties can rebut such evidence.

However, if the petitioner wants to rely on other documents, he is at liberty to file certified copies of such documents and tender evidence by following the provisions of the Indian Evidence Act.

The revisional application is accordingly disposed of.

(Shampa Sarkar, J.)