



A. No.239 of 2023

A. No.4662 of 2021
and
A. No.239 of 2023
and
A. No.5663 of 2023
in
C.S. No.178 of 2019

ABDUL QUDDHOSE, J.

A. No.239 of 2023 has been filed by the plaintiff seeking for a Garnishee order. The 3rd respondent, who is a Garnishee in the said application has stated that no money is due and payable to the defendant by the Garnishee.

2. The learned counsel for the plaintiff would submit on instructions that in view of the statement made by the Garnishee through their affidavit, A. No.239 of 2023 can be closed after recording the submission of the Garnishee that no money is due and payable by the Garnishee to the defendant.

3. After recording the statement made by the Garnishee that no money is due and payable by the Garnishee to the defendant, A. No.239 of 2023 is closed.



A. No.239 of 2023

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A. No.5663 of 2023 has been filed by the plaintiff seeking to file additional documents. The additional documents sought to be filed are the following :-

- a) Order, dated 11.04.2023 passed in C.C. No.4948 of 2015
- b) the judgments passed in C.C. Nos.4948 of 2015, C.C. No.4949 of 2015, C.C. No.4950 of 2015 and C.C. No.4951 of 2015.

2. A counter affidavit has been filed by the defendant in this application though they have stated that the application is not maintainable.

3. However, this Court is inclined to allow A. No.5663 of 2023 in view of the fact that the documents sought to be received in this application are only orders passed by this Court as well as the judgments passed by the Criminal Court in C.C. Nos.4948 of 2015, C.C. No.4949 of 2015, C.C. No.4950 of 2015 and C.C. No.4951 of 2015. Further the defendant was a party to all those proceedings. Accordingly, this application is allowed as prayed for and the documents disclosed in the affidavit filed in support of this application A. No.5633 of 2023 are received by this Court and the application is allowed as prayed for.



A. No.239 of 2023

C)

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Both the learned counsels are directed to file their brief notes of submissions along with the authorities they rely upon before the next hearing date.

Post the matter for arguments finally in A. No.4662 of 2021 on **11.03.2024.**

29.02.2024

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