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A. No.2753 of 2024

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in
C.S. No.178 of 2019

ABDUL QUDDHOSE, J.

There is no representation on the side of the respondent / defendant.

A. No.2753 of 2024 has been filed by the applicant / plaintiff seeking to file the photocopy of the documents filed along with the plaint as secondary evidence. The plaintiff has given reasons in paragraphs No.8 & 9 of the affidavit filed in support of this application as to why the originals could not be filed. This Court is satisfied with the said reasons.

2. Till date, counter has also not been filed by the respondent despite the fact that this application was filed as early as in June 2024 itself.

3. Since sufficient cause has been shown and the plaintiff has satisfied the statutory provisions in the Indian Evidence Act for filing the documents by way of secondary evidence, this Court is inclined to allow A. No.2753 of 2024. However, the documents are allowed to be marked as Exhibits by way of secondary evidence only subject to its admission, proof and relevancy. Accordingly, A. No.2753 of 2024 is allowed as prayed for.

4. Post the matter for filing of Affidavit of Admission / Denial of documents on **20.11.2024**.

06.11.2024

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