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A..Nos.3685 & 3687 of 2024

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in
C.S.No.109 of 2021

RMT.TEEKAA RAMAN, J.

A.No.3685 of 2024 has been filed seeking for an order of reopening the Plaintiff side evidence in C.S.No.109 of 2021.

2.A.No.3687 of 2024 has been filed seeking for an order of recalling the PW1 in C.S.No.109 of 2021.

3.The third Defendant is the Applicant herein. The first Respondent/Plaintiff filed a Suit in C.S.No.109 of 2021 for recovery of money to the extent of Rs.2,09,26,936/-. Initially PW1 examination was completed on 04.01.2023 and for Defendant's side evidence, the matter was adjourned to 25.01.2023. Written statement was filed with the Petition to condone the delay, the same was ordered and the written statement was taken on file. Thereafter, on 05.01.2024 Registry was directed to post the Suit before the learned Additional Master IV for recording evidence on the side of the Defendants on 29.01.2024 and one month time was granted to complete the evidence.

4.Now on change of vakkalath a new counsel is entered appearance for the Defendants.



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5. Based on the facts and circumstances of this case, in the interest of justice, to give an opportunity to the Applicant, these Petitions are ordered on condition that the Applicant pays a sum of Rs.5,000/- to the learned counsel for the Plaintiff on or before 03.09.2024, failing which, these Petitions stand automatically dismissed, without any further reference to this Court.

6. Post the matter before the learned Additional Master IV on 12.09.2024 for recording evidence. PW1 shall appear before the learned Additional Master IV on 12.09.2024. Memo for payment of costs shall be filed before the learned Additional Master IV of this Court.

7. Accordingly, these Applications are ordered.

23.08.2024

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Dated: 23.08.2024