(TM) A. Nos.73 and 74 of 2024 in (T)OP(TM) No.287 of 2023
and
(TM) A. Nos.75 and 76 of 2024 in (T)OP(TM) No.256 of 2023
and
(TM) A. Nos.77 and 78 of 2024 in (T)OP(TM) No.451 of 2023

ABDUL QUDDHOSE, J.

Application Nos.73, 75 and 77 of 2024 have been filed seeking permission of this Court to mark the documents listed out in the schedule to the judges summons as secondary evidence.

2. Application Nos.74, 76 and 78 of 2024 have been filed seeking permission of this Court to file additional documents in (T)OP(TM) Nos.287, 256 and 451 of 2023 respectively.

3. A counter affidavit has also been filed by the contesting respondent raising objection with regard to the prayer sought for by the applicant/petitioner in the aforementioned applications.

4. However, during the course of the hearing today, the learned counsel for the contesting respondent would submit that eventhough several objections have been raised in the counter affidavit, the

documents can be received and marked as exhibits, subject to its admission, proof and relevancy. He would further submit that the respondents may be permitted to file an affidavit of admission/denial of documents in respect of the documents sought to be received. The learned counsel for the applicant/petitioner has not raised any serious objection for the same.

5. Therefore, this Court is allowing the aforementioned applications as prayed for by the applicant/petitioner. However, it is made clear that the documents mentioned in the aforementioned applications are allowed to be received subject to its admission, proof and relevancy. The respondents are permitted to file an affidavit of admission/denial of documents with regard to the documents disclosed in the aforementioned applications on the next hearing date.

Post the matter for filing affidavit of admission/denial of documents on 19.11.2024.

05.11.2024

rkm

ABDUL QUDDHOSE, J.

rkm

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