



A.Nos.4496 & 4497 of 2024 in C.S. (Comm.Div.) Nos.147 & 149 of 2022

ABDUL QUDDHOSE,J.

These applications have been filed by M/s.LNV Technology Private Limited seeking for reception of additional documents.

2.A serious objection has been raised by the respondent as seen from the counter affidavit.

3.The applicant contends that the additional documents for which leave is sought for from the Court could not be obtained at the time of filing of the suits and could be obtained only now since the payments made by the applicant to the vendors of the respondent could be verified only now. The additional documents pertain to correspondence between the applicant and the so called respondent's vendors.

4.Learned counsel for the respondent would submit that the parties disclosed in the documents for which leave is sought for are not the vendors of M/s.Hajee AP Bava Company Constructions Private Limited.

5.Considering the reasons given for not filing these documents at the time of



filing of the suits and the affidavit filed in support of these applications, this Court is of the considered view that the reasons seems to be a genuine one.

6.No prejudice would be caused to the respondent/M/s.Hajee AP Bava Company Constructions Private Limited if the documents for which leave is sought for are received by this Court, subject to its admission, proof and relevancy.

7.Considering the fact that this is for the third time the Case Management Schedule is being revised, necessarily, some cost will have to be imposed on the applicant/M/s.LNV Technology Pvt. Ltd. and the same will have to be paid to the respondent/M/s.Hajee AP Bava Company Constructions Private Limited.

8.Being a commercial suit, strict timelines are fixed under the Commercial Courts Act. Therefore, this Court deems it fit to impose a cost of Rs.15,000/-, payable by the applicant/M/s.LNV Technology Pvt. Limited to the counsel for the respondent/M/s.Hajee AP Bava Company Constructions Private Limited.

9.Since sufficient cause has been shown by the applicant/M/s.LNV Technology Private Limited, these applications are allowed as prayed for.



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10.It is made clear that the documents are allowed to be received only subject to its admission, proof and relevancy on condition that the applicant/ M/s.LNV Technology Private Limited pays cost of Rs.15,000/- to the counsel for the respondent/M/s.Hajee AP Bava Company Constructions Private Limited on or before 25.11.2024, failing which these applications shall stand automatically dismissed.

11.Both the counsels are directed to file a Draft Joint Case Management Schedule without fail on the next hearing date. Post the matters for filing Draft Joint Case Management Schedule on 25.11.2024.

11.11.2024

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