



**A.No.5578 of 2023
in
C.S. (Comm. Div.) No.126 of 2022
and
C.S.No.68 of 2022
and
O.A.No.244 of 2022
and**

A.Nos.1879 of 2022 and 456 and 457 of 2023

ABDUL QUDDHOSE.J.,

The plaintiffs in C.S.(Comm. Div.) No.126 of 2022 has filed an application in A.No.5578 of 2023, seeking for reception of additional documents. The dispute arises out of a joint venture agreement between the plaintiffs in C.S.(Comm. Div.) No.126 of 2022 and the plaintiff in C.S.No.68 of 2022. The plaintiffs in C.S.(Comm. Div.) No.126 of 2022 seeks leave of this Court to file the additional documents, which are sale deeds, construction agreements, builders agreement and transaction statements.

2. Sufficient reasons has been given by the plaintiffs in the affidavit filed in support of this application in A.No.5578 of 2023 for not filing the same along with the plaint in C.S.(Comm. Div.) No.126 of 2022. Till date, counter has not been filed by the respondents / defendants in A.No.5578 of



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3. Since this Court is satisfied with the reasons contained in the affidavit filed in support of this application in A.No.5578 of 2023 as sufficient cause has been shown for not filing those documents along with the plaint in C.S.(Comm. Div.) No.126 of 2022, this Court is inclined to allow this application in A.No.5578 of 2023 by granting permission to the plaintiffs for filing of additional documents and allowing the said documents to be marked as exhibits on the side of the plaintiffs subject to its admission, proof and relevancy. Accordingly, this application in A.No.5578 of 2023 is allowed as prayed for. The documents disclosed in the affidavit filed in support of this application in A.No.5578 of 2023 are allowed to be received and marked as exhibits on the side of the plaintiffs, subject to its admission, proof and relevancy.

4. The respondents / defendants are granted liberty to question the veracity of the documents during the course of trial through their cross examination. Eventhough, the learned counsel for the respondents / defendants has raised objections for allowing this application in A.No.5578



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of 2023, this Court, after giving due consideration to the averments contained in the affidavit filed in support of this application in A.No.5578 of 2023, is overruling the said objection since sufficient cause has been shown by the applicants for not filing the said documents along with the plaint in C.S.(Comm. Div.) No.126 of 2022.

04.03.2024

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Note: Post the matter for arguments finally in all the remaining interlocutory applications on 18.03.2024.



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