



A.Nos.6487 & 6488 of 2024
in C.S.No.567 of 2017

A.A.NAKKIRAN, J.

A.No.6487 of 2024 has been filed to re-open the plaintiffs side evidence for cross examination by the applicant/1st defendant.

A.No.6488 of 2024 has been filed to re-call the plaintiffs side evidence fro cross examination by the applicant/1st defendant.

2. Learned counsel for the applicants submitted that the documents in question are central to the issues in dispute and their proper examination and verification are essential for the just adjudication of the case. He further submitted that the examination of the plaintiff will facilitate a clear understanding of the plaintiff's position vis-a-vis the documents, including their authenticity and relevancy. He further submitted that the balance of convenience favours the applicant/1st defendant as the cross-examination is vital for ensuring a fair opportunity for the applicant to challenge the veracity of claims of the plaintiff.

3. Learned counsel for the respondents submitted that the applicant has filed these applications only with a view to indefinitely prolong the above suit. Further, the applicant has not mention any reason for inordinate delay in bringing the said documents before this court. He further submitted that when

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the first respondent entered the box and let in evidence on 01.11.2019, the applicant protracted the case for several years by seeking adjournments. He filed these applications only with a view to drag the above suit. Further, the applicant was already examined in chief and thereafter cross examined by his learned counsel. Hence, he strongly opposed to allow these applications.

4. Having satisfied with the reasons stated in these affidavits filed in support of these applications and in order to provide an opportunity to the applicant to prove his case, these applications are allowed.

5. Registry is directed to list the matter before the learned Additional Master for recording evidence on 03.02.2025.

6. The learned Additional Master is directed to complete the process of cross examination of PW1 within a period of two weeks thereafter.

Gv

03.01.2025

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