

KABC170028032024



**IN THE COURT OF LXXXIV ADDL. CITY CIVIL &
SESSIONS JUDGE, AT BENGALURU (CCH-85)
(Commercial Court)**

THIS THE 25th DAY OF FEBRUARY 2026

PRESENT:

**SRI. ANAND T. CHAVAN. B.Com.,LL.B.(Spl.)
LXXXIV ADDL. CITY CIVIL & SESSIONS JUDGE,
BENGALURU.**

Com.OS.No.1426/2024

Plaintiff:-

Quin Bay Technologies Pvt Ltd,

A company incorporated under
Companies Act, having its registered
office at N3, 27, Park Avenue,
24th Main, 11th Cross, HSR Layout
Sector-1, Bengaluru- 560 102.

Rep by its Authorized Signatory
Mr. Krishna Kumar S,

(Rep by G V Shantha -Adv)

V/s

Defendant:- Refurb Mac World,

A Partnership firm having registered office at #20/1, First Floor, Ganesh Block, 4th Cross, Dinnur Main Road, RT Nagar, Bengaluru-560 032.

Rep by its Partners

1. Mr. Sagar V,
Aged about 27 years,
S/o Vishwanatha. V

2. Lakshmi. C
Aged about 55 years,
W/o Vishwanatha V.

**(Rep by CS -Adv for D2)
(D1- Exparte)**

PARTIES TO IA.NO.7

**Opponent/
Defendant No.2:** Lakshmi. C,

V/s

**Applicant/
Plaintiff:** Quin Bay Technologies Pvt Ltd,

(i)	Provisions under which the application is filed	U/Or.XI Rule 1(10) of CPC
(ii)	Relief sought for	Seeking permission to produce documents.

(iii)	The date on which the application is filed	23.01.2026
(iv)	Number of the application	1
(v)	The date on which the objection is filed by opponents	By Plaintiff on 06.02.2026
(vi)	The date on which the orders were passed on the said application	25.02.2026

ORDER ON IA No.7

The defendant No.2 has filed present application under Order XI Rule 1(10) of the Commercial Court Act, 2015 seeking to produce following additional documents:-

1. RTI Application dtd.27.06.2025 to GST office Kodigehalli Main Road, TATA Nagar, Bangalore-560 032.
2. RTI Application dtd.27.06.2025 to GST office BMTC Building, Yashvantapura, Bangalore-560 032.
3. Postal receipts.
4. Endorsement and postal cover issued by the Assistant Commissioner of Commercial Taxes, GST office Kodigehalli Main Road, TATA Nagara Bangalore-560032.

5. Rental Agreement dtd.18.01.2021 (between land owner and defendant No.2)

2. It is averred in the affidavit of defendant No.2 filed in support of above application that, plaintiff has filed above suit against defendants seeking recovery of money and consequential reliefs. At the time of filing her written statement, defendant No.2 had not produced certain documents. After filing of written statement she has collected some documents from Government authorities and hence same are filed before this court. These documents are necessary for proper adjudication and to prove her case. No prejudice will be caused to other side, if application is allowed and on the other hand defendant No.2 will be put to great hardship, if same is not allowed. These amongst other grounds, it is prayed to allow application.

3. The plaintiff has filed its objections to above application, wherein it is averred that, the application is not maintainable, same is liable to be dismissed. It is further averred that, defendant has produced RTI

applications dtd.27.06.2025 and the reply received on 02.07.2025, which was before commencement of evidence of plaintiff and defendant has withheld said documents and not produced the same at the earliest in order to take unfair advantage. Defendant has not stated details in making out valid reasons in her affidavit as to why the above documents were not produced immediately and said act is done deliberately to deprive the plaintiff to set up its defence against those documents. Moreover defendant was in possession of rental agreement dd.18.10.2021 and no reasons are stated for its non production. The said tactics are to delay the proceedings and the documents are created for the purpose of defence. These amongst other grounds, it is prayed to reject application.

4. The following points arise for consideration:

1. Whether defendant No.2 has made out grounds to permit production of additional documents, as prayed for in the application?

2. What order?

5. Heard arguments of counsel for plaintiff.
Perused records.
6. The following findings are on above points:

Point No.1:- Partly in the affirmative
Point No.2:- As per final order for following:-

REASONS

7. **Point No.1:-** The plaintiff has filed present suit against defendant for the relief of recovery of Rs.40,71,908/- and along with future interest of 24% from the date of suit till the date of recovery of the decree amount. It is specific case of plaintiff that, it had placed order with defendant for supply of 50 Apple Mac Pro laptops and transferred sum of Rs.81,94,050/- as a consideration amount. Further defendant failed to supply said laptops and on cancellation of aforesaid purchase order by plaintiff, defendant returned part amount so paid towards above laptops by retaining outstanding amount of Rs.29,94,050/-. It further shows that despite service of summons defendant partnership has remained

absent and it has been placed exparte. However subsequently defendant No.2 Lakshmi C, who is arrayed as one of partner of defendant firm has appeared in the case and filed her written statement by specifically contending that she is not related to defendant firm and she is not liable to pay the amount.

8. Now the evidence of plaintiff is concluded and matter is posted for chief examination of DW1/defendant No.2. At this stage defendant No.2 has come up with present application. Document Nos.1 to 4 appear to be documents pertaining to Right Information Act filed by said defendant No.2 seeking information from GST office with postal receipts and reply issued by said authority. Though said documents are obtained after 27.06.2025, defendant No.2 has filed her written statement on 06.03.2025 which is before obtaining said documents. Hence sufficient grounds and reasonable cause are made out by defendant No.2 to produce said documents. Further plaintiff has an opportunity to question

relevancy of above documents by way of cross examination of DW1.

9. However as far as document No.5 rent agreement is concerned, same has been executed on 18.01.2021 itself and absolutely no reasonable grounds are made out by defendant No.2 for its non production with written statement, despite having custody, power, control and possession of said document. Moreover document No.5 is incomplete since page No.2 is not produced by defendant No.2. Hence said document cannot be taken on record and application deserves to be rejected in so far as said rental agreement is concerned. On the other hand defendant No.2 has made out grounds to allow application in respect of Sl.No.1 to 4 documents. The delay caused to plaintiff may be compensated by means of costs. Hence **Point No.1 is answered Partly in the Affirmative.**

10. Point No.2:- For the reasons stated and findings given on point No.1, following is:

ORDER

IA No.7 under Order XI Rule 1(10) of the Commercial Court Act, 2015 filed by defendant No.2 is hereby allowed in part on cost of Rs.1000/-.

The Sl.No.1 to 4 documents enclosed with IA No.7 are taken on record.

The application stands rejected in respect of document No.5 Rental Agreement dtd.18.01.2021 and said document stands discarded.

[Dictated to the Stenographer Grade-III, directly on the computer, typed by her, then corrected and signed by me and pronounced in the Open Court, dated **this the 25th day of February 2026**]

(ANAND T. CHAVAN)

LXXXIV Addl.City Civil & Sessions Judge,
Bengaluru.