

07.04.2021

Com.OS.No.10243/2015,

Perused the entire records. As per the contentions of both the parties, the matter is argumentative in nature. In this case, the Affidavit of PW.1 filed in-lieu of his oral Examination-in-Chief is nothing but reproduction of the Complaint and running about 295 pages. The Advocate for the Defendant has already cross-examined PW.1 about 94 pages. Though Ex.P.1 to P.238 are marked, most of them are correspondence between the parties, agreement between the parties, fax message and the Orders passed in the Writ Petitions etc. Therefore, to avoid marathon further cross-examination of PW.1, at this stage itself it is better to hear the arguments on main matter by invoking the power of the Court under Order XV(A) Rule 6 (r) of Civil Procedure Code as amended under Section 16 of the Commercial Court Act and after conclusion of hearing arguments on Main matter, if the court feels that the recording of oral evidence is still necessary, the matter will be posted to record further evidence of PW.1.

With this observation, the matter is posted for hearing arguments on main matter as provided under Order XV(A) Rule 6 (r) of Civil Procedure Code as amended under Section 16 of the

Commercial Court Act by
01.06.2021.

Further, the matter will be
taken day by day from 01.06.2021.

(Typed to my dictation)

LXXXII ACC & SJ, B'LURU.