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Heard both sides. Perused say
and documents.

Present application is filed at
the stage when 1 witness of the
plaintiff is examined and matter
was adjourned for further witness.
As rightly pointed out by ld. counsel
for defendant, ^{that} stage of admission
& denial u/s Order XII is ~~not~~
already over. Similarly, as per order
XII Rule 3, notice to admit documents,
must be in form No.9 of Appendix 'C'.
Therefore, I found substance in the
arguments advanced by the defendants
that application under O-XII Rule 2 & 3
is not maintainable at this stage.

Similarly, if documents are to be
exhibited and proved, party has to
follow procedure prescribed. Mere admission
or denial by other side, would not help
the plaintiff. Hence, application is rejected.
The plaintiff is at liberty to lead additional
evidence, if any, in respect of documents
enlisted at Exh. 40.

Raw
Jt CJD
24/9/24