

agreement which is also annexed to the plaint and of which the inspection has been given to the Defendants, shall be marked as Exhibit P-39, that would obviate all controversies, namely, whether, it is registered or there is any endorsement thereon. Accordingly, a copy thereof handed over by the counsel, by consent, is marked Exhibit P-39.

4 Similarly, the parties agreed that although the following documents are marked without annexures, the originals are filed with annexures and therefore, the following documents, namely, Exhibits P-8, P-9, P-23 and P-26 shall be treated as marked without annexures and the Associate will mark the copies of these documents which have been handed over by the counsel as Exhibits P-8, P-9, P-23 and P-26. It is agreed that these copies may be marked as exhibits. This order is passed after Mr.Krishna appears and peruses the copies and he states that same tallies with the originals which have been marked as Exhibits P-8, P-9, P-23 and P-26.

5 Stand over to 22nd November, 2011 for recording the evidence on preliminary issue.

(S.C. Dharmadhikari, J)