



C.S.No.127 of 2005

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N.SESHASAYEE, J.,

The learned counsel for the plaintiff submits that he proposes to mark few photostat copies of some documents, and the learned Master declined to mark, unless it is backed with an order of this Court.

2. Interjecting the proceedings, the counsel for the defendant makes a statement that one of the documents now proposed to be produced is only the statement detailing a bunch of receipts and this may not be marked, since the receipts alone be marked.

3. Subject to the ability of the plaintiff to explain the originals of the documents, these documents can be marked, however, subject to their relevancy and proof. Inasmuch as the said statement of receipts now sought to be marked is concerned, since it is only an extract of those receipts involved, it is only appropriate that the plaintiff produces either the original receipts or their copies during trial, subject to the rider that if any secondary evidence is adduced during trial, the same will be received in evidence, but only subject to plaintiff explaining its failure to produce the primary documents during final arguments.



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N.SESHASAYEE.J.,
ds

5. The case is referred to learned Additional Master I for resumption of trial on
31.01.2023.

05.01.2023

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