



C.S.No.140 of 2019

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(Comm. Suit)

N.ANAND VENKATESH, J.,

The suit is now at the stage of cross-examination of P.W.1. Since the date fixed by this Court has already elapsed, the matter is again posted before this Court for rescheduling the case management time lines.

2. The plaintiff has submitted a memo for case management hearing. It is seen from the memo that the plaintiff wants to examine five witnesses and the reason as to why they have to be examined has also been stated in the memo. Out of five witnesses, the evidence of P.W.2 to P.W.4 will be by way of proof affidavit when they are examined in chief. Insofar as P.W.5 is concerned, it will be more by way of an expert opinion and this opinion itself can be treated as examination-in-chief if it is accompanied with an affidavit. That apart, this Court has permitted the plaintiff to introduce document Numbers 186 to 225 which are sought to be marked through P.W.2.



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3. The learned counsel for the plaintiff shall file affidavit of evidence of P.W.2 to P.W.4 after serving a copy to the learned counsel for the defendants. The affidavit of evidence must confine itself only to those issues which requires oral evidence and anything beyond that will be struck down by this Court. The learned counsel for the plaintiff submitted that it will take some time to get the expert opinion of P.W.5 and the same cannot be filed immediately.

4. Post this case under the caption 'FOR FILING AFFIDAVIT OF EVIDENCE OF P.W.2 to P.W.4' on 19.11.2021.

16.11.2021

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