

C.S.No.31 of 2010

P.VELMURUGAN, J.,

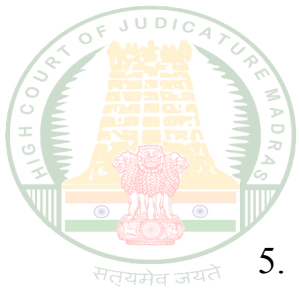
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This Court vide order dated 15.04.2024, directed the Registry to list the matter before the learned Master for recording evidence.

2. P.W.1 evidence had already been completed. Thereafter, the plaintiff has filed an application for leading additional evidence and the same was allowed by this Court. Thereafter the matter was sent back to the learned Master for recording additional evidence.

3. P.W.1 had appeared before the learned Master on 24.04.2024 and filed the additional proof affidavit and marked the documents Ex.P10 to Ex.P77. Since the defendant' counsel has not cross-examined the plaintiff's witness, the matter was sent back to this Court.

4. Today, when the matter is taken up for hearing, the learned counsel for the defendant expressed his inability and difficulties to cross-examine the plaintiff's side witness and seeks time.



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5. In order to give an opportunity to the defendant, this Court directs P.W.1 to appear before the learned Master No.II on 27.06.2024. The defendant's counsel is directed to complete the cross-examination of P.W.1 on or before 28.06.2024.

6. Meanwhile, the defendant's counsel is directed to file proof affidavit before the Registry on or before 27.06.2024, after serving the copy of the same to the other side counsel well in advance. If the defendant's counsel fails to file the proof affidavit on or before 27.06.2024, he will be forfeited his right of leading oral evidence.

7. D.W.1 is directed to appear before the learned Master on 01.07.2024. The learned Master is directed to record D.W.1's evidence on the same day itself. In case, the examination of D.W.1 is not completed on that day, the same has to be completed on 02.07.2024.

8. The plaintiff's counsel is directed to cross-examine the defendant's side witnesses on 02.07.2024, 03.07.2024, 04.07.2024 & 05.07.2024. At any costs, the plaintiff's counsel has to complete the cross examination of defendant's side witnesses on or before 05.07.2024, failing which, right of cross examination of



the defendant's side witnesses shall be forfeited.

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9. The learned Master is directed to complete the examination/cross examination of all the witnesses on or before 05.07.2024.

10. If there is any deviation and non-cooperation of the parties, right of examination/cross examination of their respective witnesses shall be forfeited. It is made clear that no further time will be granted for further examination/cross-examination of their respective witnesses.

11. Thereafter, both the parties are directed to file their written submission on or before 26.07.2024.

12. List the matter on 29.07.2024 for oral submission.

24.06.2024

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