Non-Reportable

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.6841-6842 OF 2008

K. Mallesh ... APPELLANT(S)

VS.

K. Narender and Ors. ... RESPONDENT(S)

J U D G M E N T

Anil R. Dave, J.

1. Upon hearing the learned counsel for the parties and upon perusal of the impugned order, we find that the said order passed at an interlocutory stage, during the pendency of the suit. The question is with regard to the admissibility of two documents.

2. In our opinion the High Court should not have interfered at the stage when the trial was still in progress. Therefore, we set aside the impugned order passed by the High Court without going into the merits of the case. We say that the admissibility, reliability and registrability of the documents shall be considered independently only at the time of hearing of the trial and not prior thereto. All questions with regard to the aforesaid issues shall remain open.

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Sarita Purohit
Date: 2015.10.29
16:56:50 IST
Reason:

3. The appeals are disposed of as allowed.

4. No order as to costs.

.....J.
[ANIL R. DAVE]

.....J.
[ADARSH KUMAR GOEL]

New Delhi;
15th October, 2015.

ITEM NO.101 COURT NO.3 SECTION XIIA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No(s). 6841-6842/2008

K.MALLESH Appellant(s)

VERSUS

K.NARENDER & ORS. Respondent(s)
(With office report)

Date : 15/10/2015 These appeals were called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE ANIL R. DAVE
HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

For Appellant(s) Ms. Nitya Ramakrishnan,Adv.
Ms. Gunet Kaur,Adv.
Ms. Anitha Shenoy,Adv.

For Respondent(s) Mr. A.K. Ganguli,Sr.Adv.
Mr. K.Swami,Adv.
Ms. Prabha Swami,Adv.

Mr. P. V. Yogeswaran,Adv.

UPON hearing the counsel the Court made the following
O R D E R

The appeals are disposed of as allowed in terms of the non-reportable judgement. No order as to costs.

(Anita Malhotra)
Court Master

(Sneh Bala Mehra)
Assistant Registrar

(Non-reportable judgement is placed on the file.)