

CHAPTER 27

DOCUMENTS FOUNDED ON OR ADOPTED IN PLEADINGS

Lodging of documents founded on or adopted

27.1.-(1) Any document founded on by a party, or adopted as incorporated, in his pleadings shall, so far as in his possession or within his control, be lodged in process as a production by him-

- (a) when founded on or adopted in a summons, at the time of lodging the summons for calling;
- (b) when founded on or adopted in a petition, note, application, minute, defences, counterclaim or answers, at the time of lodging that writ; and
- (c) when founded on or adopted in an adjustment to any pleadings, at the time when such adjustment is intimated to any other party.

(2) Paragraph (1) shall be without prejudice to any power of the court to order the production of any document or to grant a commission and diligence for recovery of it.

Consequences of failure to lodge documents founded on or adopted

27.2. Where a party fails to lodge a document in accordance with rule 27.1(1), he may be found liable in the expenses of any order for the production or recovery of it obtained by any other party.