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NIC Vs AVTAR SINGH

None

Court: NATIONAL CONSUMER DISPUTES REDRESSAL COMMISSION

Date of Decision: Oct. 16, 1997

Citation: 1997 3 CPJ 412 : 1998 1 CPC 49

Hon'ble Judges: P.N.Nag , I.D.Bali , Krishana Tandon J.

Final Decision: Application dismissed

Judgement

1. BY this application, the applicant/appellant wants to lead additional evidence under Order 18, Rule 17, C.P.C. to demonstrate that the driving

licence was forged.

2. MR. L.C. Kapoor, learned Counsel for the applicant/appellant has relied upon the judgment of the Supreme Court in a case Natha Singh &

Ors. v. The Financial Commissioner, Taxation, Punjab & Ors., AIR 1976 SC 1053.

At the very outset, it may be pointed out that this authority refers to Order 41, Rule 27, C.P.C. and not Order 18, Rule 17, C.P.C. At any rate,

the principle laid down by the Hon''ble Supreme Court is that the true test to be applied in dealing with applications for additional evidence is

whether the Appellate Court is able to pronounce judgment on the materials before it, without taking into consideration the additional evidence

sought to be adduced.

On the basis of the evidence produced by the parties before the District Forum, we find no difficulty in pronouncing the judgment on such material

and as such, no additional evidence can be permitted. In fact, to us, this application of the applicant/appellant seems to be angrier-thought and

intended to fill up the lacuna at this belated stage, which cannot be permitted. The application is wholly misconceived and is dismissed. Application

dismissed.