



CPC O.18 R. 3 - Order 18, Rule 3 of the CPC would not give a right to the plaintiff to lead evidence in rebuttal on issues in which the onus of proof is on the plaintiff

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[cpc](#) O.18 R. 3 - Order 18, Rule 3 of the [CPC](#) would not give a right to the plaintiff to lead [evidence](#) in rebuttal on issues in which the onus of proof is on the plaintiff - Accepting such an interpretation would be to ignore a vital part of Order 18, Rule 3 of the CPC - The rule clearly postulates that “the party beginning, may, at his option, either produce his evidence on these issues or reserve it by way of answer to the evidence produced by the other parties” - No matter, how liberally a provision in the statute is required to be interpreted, by interpretation it cannot be amended - Whilst construing a statutory provision the Court cannot reconstruct it - The rule consciously provides the parties with an option either to produce the evidence in support of the issues or to reserve it by making a statement to that effect - The statement itself may well be liberally construed to avoid any unnecessary technical obstacles.

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