

Vijay Sharma, for the petitioner

CPC S. 151 , CPC O. 18 R. 17 - Under Section 151 CPC, the Court has the inherent powers to pass any order in the interest of justice - Although, the specific provision to lead additional evidence under Order 18 Rule 17A has been deleted, however, the inherent powers fundamentally, exist in a Court to impart justice - Securing justice is the chief/cardinal duty of the Courts - In the present case, the order of eviction has been passed after the evidence of the Gram Panchayat was closed - In such circumstances, particularly when the documents sought to be produced in additional evidence goes to the root of the matter, the Court should have been more pragmatic and magnanimous particularly when the dispute is with regard to the public property.

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