



Evidence - Document which while being an entry in a public record is of great probative value and carries the utmost weight.

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Meer Usd-oollah v. Beeby Imaman, widow of Shah Khadim Hoossain, 1836-37 1 MIA 19 appears to us to be a clear illustration of a document which while being an entry in a public record is of great probative value and carries the utmost weight. In this case, the registers concerned were probably under Bengal Regulations and the act of registration in the registers was made after a proclamation amounting to a public, open and notorious assertion of [title](#). Such a document was held by the Privy Council to be of very great importance, and in this connection the following observations were made:

“This fact is most important, not because the registers themselves are at all of the nature of conclusive [evidence](#) of title, (for the Regulations provide against that,) but because this act of registration after a proclamation amounts to a public, open, and notorious assertion of title on the one side, and the omission to register, unexplained by proof of the ill health of the Claimant, or absence in a distant country, or ignorance, afford an equally strong presumption of the non-existence of any title on the other.”

(emphasis supplied)

This is a clear and important illustration of an admissible document which commands great confidence and whose probative value is almost irrebuttable and impregnable.

Tags: [Document - Admissibility of](#), [Evidence Act S. 35](#), [Public Document](#)