# Judgment on Admissions – Order XII, Rule 6, Civil Procedure Code, 1908

## Overview

- Admissions of fact made in pleadings or otherwise (orally or in writing) allow the Court to give judgment based on those admissions at any stage of the suit.
- The Court can do so on its own motion or upon application by any party, without waiting for other questions to be determined.
- Upon pronouncement of such a judgment, a decree is drawn in accordance, bearing the date of the judgment.

Meaning of Admission:

- Not defined in Civil Procedure Code, 1908: Defined in Section 17 of the Indian Evidence Act, 1872.
- Definition: A statement made (orally, in writing, or electronically) suggesting an inference to a fact-in-issue or relevant fact.
- Summary Judgment: Can be passed on a clear admission without trial if no different view is possible.
- Irrelevance of Admissions: Section 23 lists circumstances where admissions are not relevant; Section 58 states no need to prove admitted facts but allows court discretion to require proof.

## Purpose of Order XII Rule 6

- Avoids Delays: Prevents the plaintiff from waiting for part of the decree when there is clear admission by the defendant.
- Expedites Trials: Secures immediate judgment if no dispute exists and admission entitles the plaintiff to a specific order.

## Essentials for Judgment on Admission

- Criteria for Admission:
  - Must be categorical, unequivocal, unconditional, and a matter of fact.
  - Must be a conscious, deliberate act, intended to bind.
  - Should be valid independently, not requiring additional evidence.
  - Admissions in pleadings should be read wholly.
  - Must be clear from the record, not left to court interpretation.
- Objective: Enable speedy judgment to the extent of admitted relief.

## Nature of Relief

- Discretionary, Not Mandatory:
  - The court has discretion to pass a decree based on admissions without determining other questions.
  - Judgment on admission is without trial and permanently denies remedy to the

defendant by way of appeal.

- Supreme Court Observation (Himani Alloys Ltd vs Tata Steel Ltd):
- Judgment can be based on categorical, conscious, and deliberate admissions.
- Judicial discretion should be exercised cautiously.

**Circumstances to Decline Judgment on Admission**

- Inappropriate Use:

- When complex questions of law arise.
- When serious legal questions need determination.
- Essential Ingredients:

- All elements of admission must be satisfied before passing a decree.
- Questions of law and fact raised require trial determination, not suitable for judgment on admission.
- Discretionary Power: The court “may” pass judgment based on admissions, indicating discretion rather than an obligation. Even with admissions, the court can require proof by other means.