

Evidence Act S. 32(5)

Kalka Parshad v. Mathura Parshad ILR 1908 30 All 510 the Privy Council refused to accept a pedigree which was of the year 1892 because the controversy had originated in the year 1891, that is to say, a year before the pedigree was filed. In this connection, commenting on the genealogy relied upon by the plaintiff Their Lordships observed as follows :

“Taking them in the reverse order, the last is inadmissible, having been made post litem motam.... In order to make the statement inadmissible on this ground, the same thing must be in controversy before and after the statement is made.”