

Evidence Act S. 32(5)

Debi Pershad Chowdhry v. Rani Radha Chowdhraia, 1904 31 IA 160 the law on the subject was very well expounded and clearly defined and while describing the nature of dependable evidence in such cases, the Privy Council made the following observations :

“It cannot be doubted that, in its quality, this is admissible evidence. The singular criticism of the High Court is that it comes from relatives of the appellant ; but it is difficult to see where else such evidence could be found, or that in the mouths of strangers it would have any value at all. Each of the persons who has spoken to this pedigree has been carefully cross-examined, and each proves circumstances, apart from the pedigree, which support his knowledge and credit. This is not the case of a pedigree learned by rote, but it is circumstantially corroborated, as far as time and memory admit.”

(emphasis supplied)