

Evidence Act, S. 32(5) - Statements or declarations before persons of competent knowledge made ante litem motam are receivable to prove ancient rights of a public or general nature - The admissibility of such declaration is however considerably weakened if it pertains not to public rights but to purely private rights - It is equally well settled that declarations or statements made post litem motam would not be admissible because in cases or proceedings taken or declarations made ante litem motam, the element of bias and concoction is eliminated - Before, however, the statements of the nature mentioned above can be admissible as being ante litem motam they must be not only before the actual existence of any controversy but they should be made even before the commencement of legal proceedings - This position however cannot hold good of statements made post litem motam which would be clearly inadmissible in evidence - The reason for this rule seems to be that after a dispute has begun or a legal proceeding is about to commence, the possibility of bias, concoction or putting up false pleas cannot be ruled out.

Read here : [1983 PLRonline 0004](#)