

36 RCA CIVIL DJ ADJ 1140/24
Ram Karan AND ANR. Vs. Surat Singh AND ORS.

14.11.2025

Present: Appellant no.2 in person.

Order on application for leading additional evidence.

There is an application for leading additional evidence.

The application has been filed by the appellant seeking to lead additional evidence.

By way of the present application, the applicant wishes to bring before the court the medical documents of the witness/appellant no.1 showing that the appellant no. 1 is a case of intellectual disability with mild mental retardation having 50% permanent disability in relation to his brain. That his evidence, which was led in the court, was not properly appreciated, as this fact about his intellectual disability was not brought to the notice of the court.

The said witness was also the appellant no.1 and was already plaintiff to the suit. This information was always available, as the disability certificate was issued on 25.06.2018, whereas the witness was examined as PW-3 on 14.05.2019. His affidavit was filed on 21.01.2019.

Therefore, his mental or intellectual ability or disability was well known to the parties/plaintiffs even on the date when the said document was filed.

This was not a evidence which could not have been produced by the plaintiff at the relevant stage, nor the evidence not within the knowledge of the plaintiff.

In these circumstances, the application for additional evidence is without any substance and is, accordingly, dismissed.

Application is disposed off.

List the appeal for clarifications on **06.12.2025**.

(HARJYOT SINGH BHALLA)
DJ-03, SOUTH-WEST, DWARKA
NEW DELHI/14.11.2025