

Report on 1st Webinar on Admissibility of Evidence and Jurisdiction in Civil Cases on 7th October 2020.

By: Dr Souvik Chatterji (HOD, Law, JISU)

On 7th October, 2020, the 1st Law Summit Online Innovative Webinar on Admissibility of Evidence and Jurisdiction of Civil Cases took place.

1ST SUMMIT INNOVATIVE WEBINAR on
ADMISSIBILITY OF EVIDENCE AND
JURISDICTION IN CIVIL CASES

Organised by the Department of Juridical Sciences
Date: **7th OCTOBER, 2020** | Time: **7.30pm - 8.30pm**

Speakers

Advocate Mit Guha Roy
Advocate, Kolkata High Court
& Member, DLSA

Dr Souvik Chatterji
HOD, Law, JIS University

Judge Sri Kumar Goswami
Alipore Commercial Court

Live at
zoom

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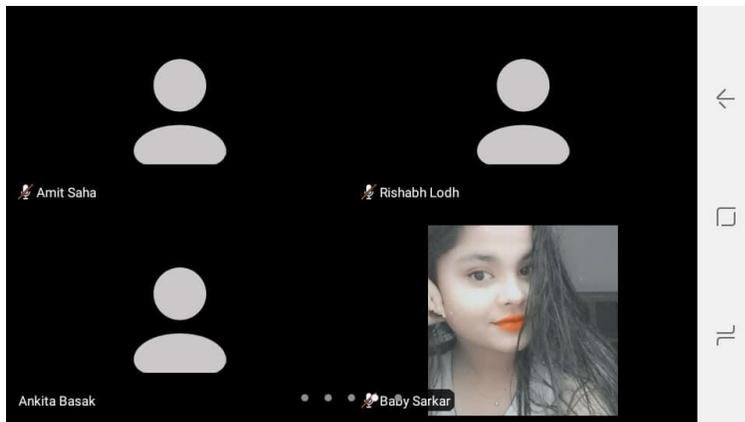
It happened in Zoom Platform between 7.30 pm to 8.30 pm.



The Speakers included Judge Sri Kumar Goswami, (Judge, Alipore Commercial, Court), Dr Souvik Chatterji (HOD, Law, JISU) and Advocate Mit Guha Roy (Advocate, Kolkata High Court).



At the beginning Dr Souvik Chatterji (HOD, Law, JISU) introduced the fact that already Department of Juridical Sciences, JISU conducted 9 webinars on Criminal Law and started the webinar series on admissibility of evidence and jurisdiction in civil cases.



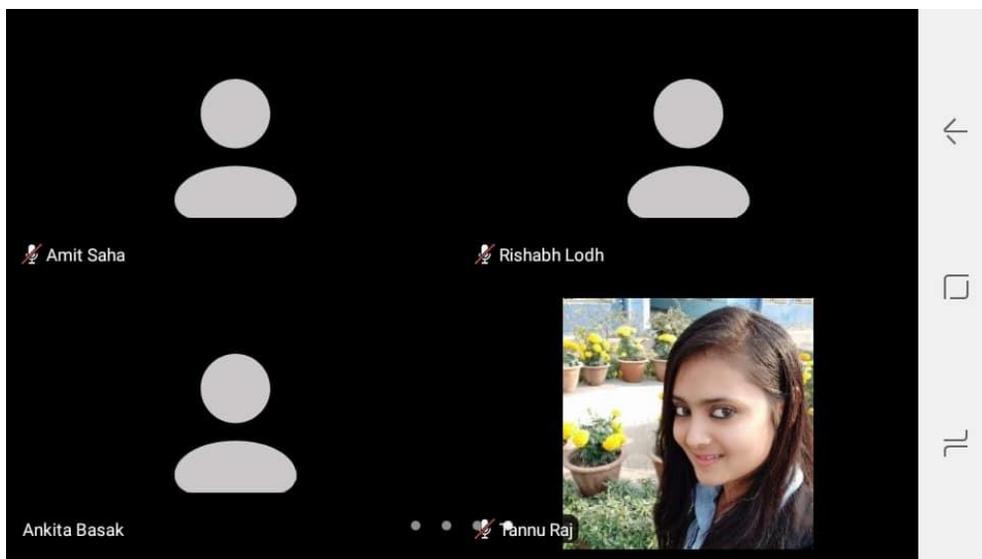
It was said that there are many cases which are returned by civil courts for lack of jurisdiction. At the same time, courts only allowed facts in issue and relevant facts to be submitted before the court which were admissible in evidence.



Judge Sri Kumar Goswami said that civil courts exercised territorial jurisdiction, pecuniary jurisdiction and subject matter jurisdiction. In cases where both Civil Court Senior division and Civil Court junior division had jurisdiction, litigants were encouraged to file the suit in the lowest jurisdiction.



He said plaints were rejected in his courts not only due to wrong jurisdiction but also due to lack of cause of action and also non payment of adequate court fees.



When Dr Souvik Chatterji (HOD, Law, JISU), asked Judge Sri Kumar Goswami the scope of defendants to apply for setting aside ex parte decrees, he said Court is very strict with the defendants in these cases.



If ex parte decrees were passed due to non appearance of defendant, then unless sufficient cause was shown under section 5 of the Indian Limitation Act, the application for setting aside ex parte decrees were not encouraged.



Dr Souvik Chatterji (HOD, Law, JISU) asked Mit Guha Roy (Advocate, Kolkata High Court) about the emails, messages in whatsapp in the list of admissible evidence.

In reply it was said that Courts don't allow these online statements in emails as admissible evidence unless there is reliable oral evidence which corroborated those evidences.

It was also said that Information Technology Act is relied in respect of admitting tape recorded evidence, video recorded evidence to mention a few.

Dr Saikat Maity, Mr Gaurav Majumdar, law faculties of JISU namely Ranadip Bhattacharya, Moumala Bhattacharya, Soumadip Kundu , the admission cell and Mr Sumanta Ghosh assisted in conducting the law webinar.