

CHAPTER VIII  
Admissions, Denials, Framing of Issues and  
Examination of Parties

**[1-A.] Proceeding at the First hearing**—On the date fixed for defendant’s appearance, the parties or their advocates, shall produce before the Court all the documents in their power or possession upon which they intend to rely. On the first hearing the Court shall ascertain from each party or his advocate whether he admits or denies such allegations of fact as are made in the plaint or written statement (if any) of the opposite party, and as are not expressly or by necessary implication admitted or denied by the party, against whom they are made. The Court shall record such admissions or denials.

**[1-B.]** “Copies of all documents filed by parties will be supplied to the opposite party or parties unless it be impracticable to prepare a copy in which case the relevant extract of the documents may be supplied. The expense incurred for supplying copies will be taxable as costs.]

**2. Judgment at the first hearing**—If on the hearing, judgment is confessed by the defendant, then the Court shall proceed to judgment. If on that date the defendant appears and the plaintiff does not appear, the Court shall make an order that the suit be dismissed, unless the defendant admits the claim or part thereof, in which case the Court shall pass a decree against the defendant upon such admission, and where part only of the claim has been admitted, shall dismiss the suit so far it relates to the remainder.

**3. Examination of parties etc. at the first hearing**—If at the first hearing the defendant does not admit the claim the Court shall examine any party appearing in person or present in Court, or any person able to answer any material questions relating to the suit by whom such party or his advocate is accompanied. The Court, may, if it thinks fit, put in the course of such examination question suggested by either party.

**4.** The substance of the examination shall be reduced into writing and shall form part of the record, and where after such examination it appears that the parties are not at issue on any question of law or of fact, the Court may at once pronounce judgment.

**5. Disposal of the matter at the first hearing**—(1) Where the parties are at issue on some question of law or of fact, the Court may frame issues, and if satisfied no further argument or evidence than that the parties can at once adduce is required upon such of the issues as may be sufficient for the decision of the suit, and that no injustice will result from proceeding with the suit forth-with, may, proceed to determine such issues, and, if the finding thereon is sufficient for the decision, may pronounce judgment accordingly.

(2) *Further Proceeding*—Where the finding is not sufficient for the decision, the Court shall adjourn the matter directing the parties to file a list of witnesses, which they propose to produce in support of their respective cases. The parties shall along with the said list file further documents, if any. They shall also indicate the particular fact or documents which is sought to be proved by the evidence of a witness. On the date so appointed, the Court shall after examining the said list and the particulars give further direction as to the hearing of the suit.

1. Renumbered as Rule 1-A vide Notification No. 81/DHC/Rules dated 15-3-1988.

2. Rule 1-B added vide Notification No. 81/DHC/Rules dated 15-3-1988.