



Whether a Power of Attorney can give oral evidence on behalf of the party to the litigation?

- Power of Attorney holder can depose and verify on oath before the Court but he must have witnessed the transaction as an agent and must have due knowledge about the transaction.
- The Power of Attorney holder who has no knowledge regarding the transaction cannot be examined as a witness.
- It is a settled law that Power of Attorney holder can only depose about the facts within his personal knowledge and not about those facts which are not within his knowledge or which are only within the personal knowledge of the person who he represents.



CASE TITLE

**Manisha
Mahendra Gala
v/s.
Shalini
Bhagwan
Avatramani**

**2024 SCC OnLine
SC 530**

RELIED ON

**A.C Narayan
v/s.
State of
Maharashtra**

(2014) 11 SCC 790