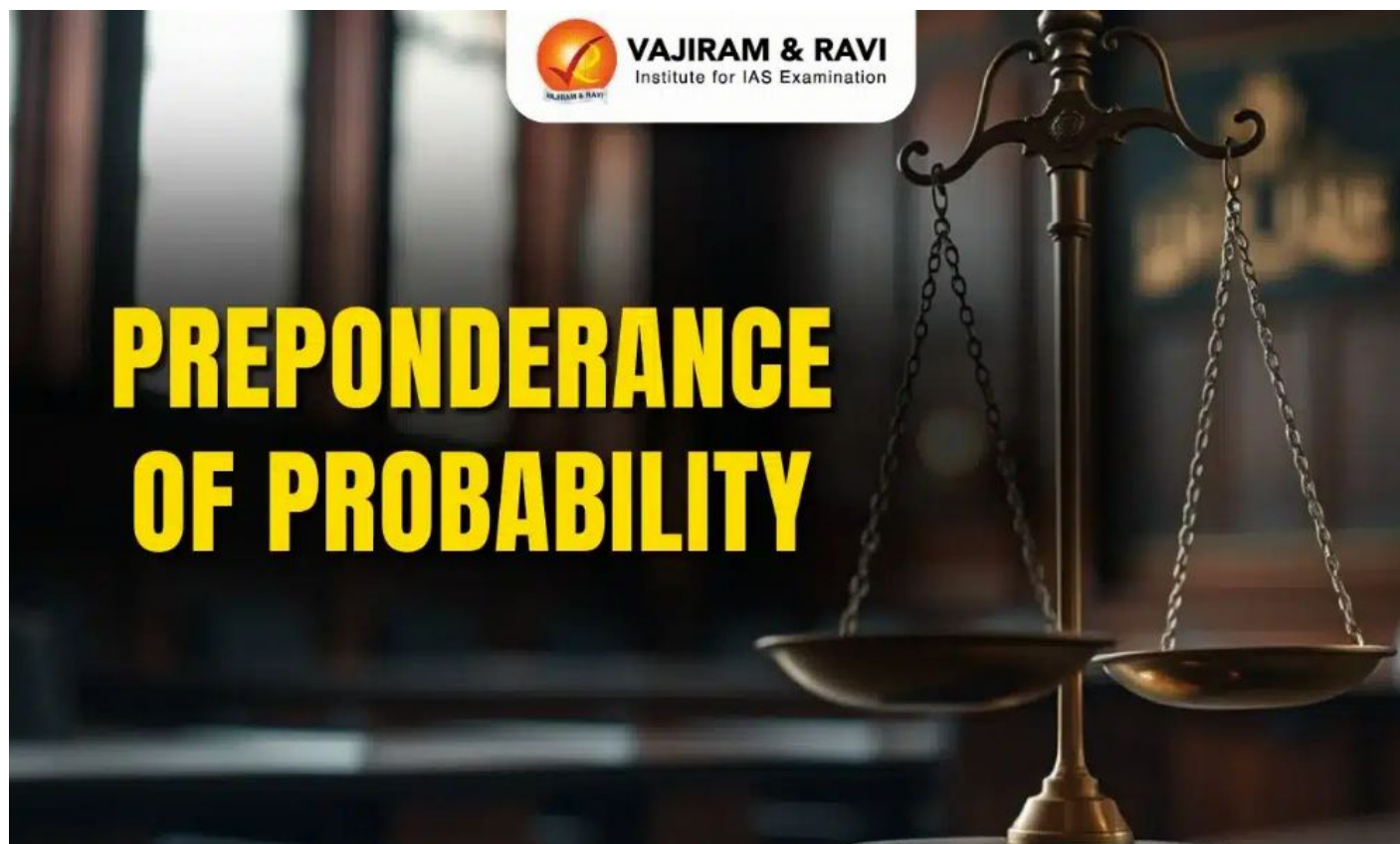


Preponderance of Probability

September 30, 2025 • vajiramandravi.com



Preponderance of Probability Latest News

The judgment on the title battle over the 1,500 square yards in the town of Ayodhya is founded on the “test of preponderance of probabilities” over who had possession of the outer and inner courtyards of the disputed premises, according to former Chief Justice of India D.Y. Chandrachud.

About Preponderance of Probability

- It is a widely accepted **standard of proof in civil proceedings**.
- The preponderance of probability **refers to the greater likelihood of one event or fact over another**.
- In this context, **a fact is considered proven** when the **evidence suggests that the occurrence of the fact is more likely than not**.
- It is not about certainty or eliminating all doubts but rather **about weighing evidence to see which side presents a more probable scenario**.
- **In civil cases, the party bearing the burden of proof needs to show that their version of events is more plausible than the opposing party's.**

- This standard **contrasts sharply with the criminal law standard of “beyond a reasonable doubt,” where the prosecution must prove the defendant’s guilt** to a much higher level of certainty.
- **In civil cases**, by contrast, the **balance of probabilities leans toward the more convincing narrative.**
- In **Narayan Ganesh Dastane v. Sucheta Narayan Dastane (1975)**, the **Supreme Court** of India **stated that under Section 3 of the Indian Evidence Act, a fact is said to be proved when the court believes in its existence based on a “preponderance of probability.”**
- The court **applies this test by evaluating conflicting probabilities and choosing the most probable scenario.**

Application of Preponderance of Probability in Civil Law

- The preponderance of probability is the **standard of proof used in most civil litigation.**
- **Civil cases** typically involve disputes **over rights, contracts, property, or torts**, and the **plaintiff must demonstrate that their claim is more likely true** than false.
- For example, in a breach of contract case, the plaintiff must show that it is more likely than not that the contract was breached.

Source: TH

Source: <https://vajiramandravi.com/current-affairs/preponderance-of-probability/>

© Vajiram & Ravi. For personal use only.