



The role of the administrative judge in transferring the burden of supplementing administrative evidence when it is impossible for the plaintiff to bear it

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Abstract:

We talked about the role of the administrative judge in transferring the burden of supplementing administrative evidence when it is impossible for the plaintiff to bear it. The burden of supplementing the proof of the plaintiff is usually located, but in some cases it can become difficult for the plaintiff to bear this burden, and here comes the judge's role to direct the process and judgment based on the evidence provided and the circumstances surrounding the case. The judge sometimes asks the second party to provide additional evidence or is based on technical reports to make a fair and legal decision. The role of the judge is to ensure justice and legal in the case.

Keywords:The judge, the burden of confirmation, the administrative judiciary, the prosecutor, the justice.

Introduction:

The role of the administrative judge in dependence mainly on the evidence in proof, as is the case in the error clues in the responsibility and the evidence of deviation in power, and what is extracted from the path of the two parties in general during the preparation and not required to be conclusive and direct proof, as it suffices sometimes with strong clues that make allegations close to certification She followed himself to believe in her health, which is what is known

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as the principle of evidence or the beginning of evidence that is repeated by the provisions of the administrative judiciary. This role is also evident in a concrete manner in assigning the defendant administration to provide the necessary documents, data, and clarifications and not to require it at the same time to prove the negative facts so that each party is considered a claim when it confirms the opposite of the negative facts.

One of the manifestations of assisting the administrative judge of individuals to bear the burden of proof in the case is that in every case its circumstances reveal that the plaintiff is impossible or at least an impossible, proving what he claims for the existence of impossibility or great difficulty, the judge then transmits the burden of evidence to the defendant's administration usually.¹

, As it is required to prove and indicate the health of her defense. When the employee is attributed to him by violations or sins, its circumstances and history were not determined, and therefore it is mysterious and vague, the judge is justifying the transfer of the burden of proof on the administration's obstacle to determine and prove the validity of its claims and cases in which the provision of proof is impossible on the part of the plaintiff is not rare, as in the case of the financier who sends A request for the mail for the administration that claims to arrive after the deadline for the deadline, unlike what the plaintiff confirms and the original documents have been lost by mistake by the administration, which puts the plaintiff in front of the impossibility of proving the validity of what he claims, in this case the judge is accustomed to his statements.

In this way, the plaintiff relieves the burden of proving negative facts, as he is often transferred to the administration, and therefore the failure of the administration indicates that there is an authorization from the General Council to the permanent committee in appointing the manager Evidence for the administration, as the negative facts claimed by the plaintiff are correct if the file documents do not refute them so that each party is considered a prosecutor when it confirms the opposite of the negative facts.²



THE FIRST TOPIC :The assignment to deposit the documents and the administrative file on which the administration relied on issuing the decision

The administrative judge distributes the burden of proof in a fair manner between the bidder and the administration, so the bidder must provide a start in proof. If he sees this necessary, the administrative judge asks the administration to complete that proof, so that part of the burden of proof to the public person. The meaning of the judge's intervention is that he admits to assuming the right of the bidder if the administration does not deny the start of the evidence submitted by the latter, and this presumption is not clear, yet before any lawsuit and varies according to the facts of the investigation. There are other cases in which the State Council is accurately explained by the limits of its creation in another field, for example. That the implicit decision of the refusal is a gain after four months of sending the petition with the aim of issuing a decision from the administration, and the way to send the petition through a guaranteed message was common, but the administration can answer that the included message did not contain the petition.

This boss is usually characterized by bad faith. The exhibitors are not accustomed to sending messages free from any content to the administration, and for this the State Council created close, so he sent a message included by the future prosecutor for a presumption that the latter has sent a petition to the administration. And if the latter wants to dispute this presumption, then it must prove its allegations, so if the proceeds of the selected circumstance are advanced, then the judge requests in this case starting in the proof, which is the evidence that the included message has been sent, and if the evidence is established on that, then it is assumed that the message contained the petition of the subject For the administration, that is, it places the administration, the burden of proving the absence of the petition in the bidder.

I hoped that the judge must protect the veiled person with a disciplinary punishment, a special solution in this case. The penalty is not legitimate except in the event that it is supported by the file documents and presented before the administrative judge or those that were obtained through the investigation and the concerned person does not provide any start in the proof .



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Various permission exercises the intervention of the administrative judge to alleviate the unfair effects of the burden of proof position on the bidder in other words on the person who is subject to the administration, so the judge enters dictates the personality of the two disputed parties, their successive position in the case, because the plaintiff is subject to administration and away from the behavior of the latter and that the person we find in The other aspect of the platform is the administration, and the judge always practices his investigative powers in the face of the person himself, and it is not possible to protest against those powers in the administrative article because it contributes to achieving the difficulties of evidence that we cannot transfer as a rule to the administration. So that we do not copy the basic principles that we cannot absolutely preserve on the plaintiff's responsibility for fear that we will automatically correct all forms of administration's behavior³ .

Pierre Pacttt says: “The judge’s freedom to search for evidence depends on his investigative authority. This freedom is of limited benefit if the administrative judge must then notice the group of legal rules, which is required as a nature command and the value of the proof methods obtained while searching for evidence Therefore, the necessity of the investigative authority appears prominent when the evidence is examined by the judge and the formation of his conviction of two silks.

FIRST REQUIREMENT: Assignment to deposit documents

To move in the investigation to the farthest, if the plaintiff applies to the start of evidence that generates doubt about the legitimacy of the administrative decision, the judge asks the administration to reach his knowledge of the total facts and documents that determine the framework in which the administration's behavior occurred, and this commitment to public persons is thanks to The judge’s request includes submitting the documents possessed by the administration to adjudicate the case, that is, those that must be present to take a position on the legal or realistic points raised in the plaintiff’s petition and in particular the instructions issued⁴ .

The judge directs the assignment to deposit documents and data, and the administration should respond to such assignments, taking into account the specific



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dates and complete simplicity in the fulfillment without being bound by predetermined formalities .

This method is developed for the administrative judge, and its authority in its matter is one of the main signs of the positive light of the administrative judge, and it is the right of the distinctive phenomenon of administrative litigation procedures to achieve the effectiveness of the legal control of the legitimacy⁵ .

And if the administrative judge is independent by estimating the extent of the need to direct the assignment to submit the fenced documents and data in the light of the circumstances of each case, then work has been done to use this method in particular, as they invite the need in certain cases in the forefront of the following:

When the plaintiff provides specific assurances, facts and emirates that will form strong evidence to the validity of the prosecution, in this case the judge asks the defendant, which is the administration, usually submitting some documents and data necessary for clarification, and despite the use of the authority of commissioning in such cases a long time ago, it has spread a lot in a lawsuit The cancellation since berel case, as the administration is in a stronger position where the documents related to the subject possesses, thus highlighting the phenomenon of a fair imbalance between the two parties in the administrative lawsuit, unlike the case in the civil lawsuit, which justifies the authority to assign the necessary documents and the admin⁶istrative judge enters more effectively to facilitate the plaintiff in his position Difficult .

When allegations contradict the dispute and controversy over the truth of some facts in such cases, the judge needs to view the documents to reveal the truth and issue his ruling on the basis of them .

In order to start the means of assigning documents and data gradually developed the direction of the administrative judiciary in France towards the breadth in terms of the increase in resorting to it, especially after it has been supported and confirmed strongly since the rule of Barel 1954, as it explicitly became the authority of the judge in assigning the administration to deposit the necessary documents to be its belief in the way that In his report on the case, letourneur referred to him⁷ .



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And if the authority to assign the documents is appreciated for the judge, then the practice of this estimate is not absolute, but it is subject to the supervision of the judge of the appeal or the veto, and whoever is the judge who specializes in the appeal is to decide that the judge of his first degree was not right when he refrained from directly the authority authorized to him to order even on his own. Data and justifications for the administration or judgment on the basis of a file free from a document that affects the result and that the administrative judge's failure to assign to deposit a specific document that violates his obligations in preparing the cases pending before him from the basic administrative duties assignment to deposit the necessary documents and data.

And if it is the authority of the administrative judge to assign the documents that are estimated to form his faith in this way that the administrative judiciary has settled, then there is no place to request depositing unproductive or useless documents as documents that are not related to the subject of the dispute and outside its scope or the principles of documents deposited and photographed by the file without A dispute in its health or the employee's profile, while the case file includes all the necessary elements to adjudicate it, which are known as excessive documents .

In cases where the plaintiff is unable to submit such clues before submitting documents by the administration, the assignment of the documents directed to the administration produces a tangible impact so that if the administration responds to the assignment and the documents are submitted, the plaintiff must fulfill the proof of proof to provide the necessary evidence of evidence with the help of the papers provided by the administration Documents, but if the administration fails to respond, this position creates a presumption in the interest of the plaintiff, to which the burden of proof is transferred, and the extraction of this presumption is deceived to estimate the administrative judge in the light of the conditions of the case in general and the rest of the submitted elements, and in that the general origin remains in the burden of evidence standing and the judge applies it with flexibility consistent with it And the conditions of the administrative lawsuit, where the plaintiff assists in establishing the evidence in his positive role in preparing and extracting judicial evidence .



The administration must respond to the request, even if the separation of the subject of the dispute does not enter into the jurisdiction of the judge before him.⁸

SECOND REQUIREMENT: The assignment is to deposit the administrative file

In the case of Foucher-Céteau, the preparation for the importance of the judicial section itself without the sub-section of preparation. For the sake of the decision, the head of the judiciary sent three consecutive letters to the Minister of War to deposit the administrative file on the basis of which the contested decision was issued to view it and in the end the administration responds to the request and submitted the file from which it was shown The contested decision is based on a sound basis .

The documents that the judge requests include all the papers that enable him to separate the lawsuit, whatever their type of reports, accounts and minutes of meetings, the employee's personal file and his adequacy report, the file of disciplinary penalties, administrative grievances, response to the lawsuit and the promotion papers to other ideas and elements produced in The Awi, and is not limited to it, and the French State Council has started this authority in relation to the request to deposit films on some disputes related to cinematic shows .

The scope of documents that⁹ can be covered by the commissioning extends to all documents in the possession of the administration, and which is useful to see them in order to separate the case, whether it is essential in the matter as a file of investigation and the contested decision or related to it, even if indirect In their affairs and documents for similar cases that can be cited by arbitrariness in extracting the result that can be assured, they are not limited to the documents of Al -Hasima in the subject or related direct contact, but they extend beyond that to include all the documents that are useful to see or domesticate It allows the formation of the judge's doctrine and the empowerment of the stakeholders to defend their rights and legal centers, which are known as the documents produced in proof, but not other non -productive documents that are considered excess.



THE SECOND TOPIC :The administration's commitment to disclose the causes of the contested decision

In addition to the development in the condition of directing the means of commissioning, with the increase in its applications in general in the previous manner, the administrative judiciary then followed a long way to this issue of assignment. In addition to the sufficiency of the simple claim specified for the initiation of the means of assignment, when it is not possible to present pro - judiciary, the judiciary has extended its authority in relation to the issue of assignment, after the assignment was related to the files and documents that would separate the lawsuit. The contested administrative decision was a reason for it. The administration is not only charged with submitting its files and documents, but it must be in addition to that. The judge's visions were obligated to provide reasons and their actions, and this development is clear in the ruling to the French State Council .

The administrative judge may assign the administration in addition to providing the productive documents to explain the legal and realistic reasons that led to the issuance of the contested decision, and other clarifications and justifications¹⁰ .

With this means, the judge can directly have his duty to control legitimacy to adjudicate the lawsuit with a full knowledge, significance and reassurance, and it is met with a commitment that falls on the aspect of the assignment of the mandate, which is the administration usually in response to the assignment and also the justifications for its actions and decisions, whether it is issued in the form of caused or unprecedented.

In light of this, if it is the reason for the administrative decision in the absence of a text that requires its existence, it is not considered a condition for its health and thus the administration is free in causing. This is in contrast to the case with the judicial rulings, which the reasoning is a condition for its safety, which falls on the general rules of the procedures, because the possibility of not causing the administrative decision is only in the face of the individual so that if the dispute is before the administrative judiciary in this regard, the administration must submit its productive documents clarifying to the judge the reasons for its decision As a



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commitment to it. As long as the administrative decisions are causing or unacceptable, it is required for the validity of their establishment of reasons that justify them. If the administration fails to submit what reveals the reasons for its decisions and did not respond to the assignment issued to it from the judge, the risks of insufficient proof in the lawsuit are not to bear the proof of legitimacy from the general origin, but because its course in the case constitutes a judicial presumption to which the burden of proof, which is originally located on the plaintiff, is transferred to the plaintiff¹¹

The administrative judge can ask the administration to determine the real and legal causes on which the administration relied on issuing this decision subject to the lawsuit, and the administration will be able to take one of the following two positions :

As for you to respond to the judge's request, in which case the latter monitors if the elements of the proof submitted are well or well -just, and you can reject the claim of the plaintiff if the administration indicates that its position is justified .

On the contrary, it prevents the administrative decision if it becomes clear to him that the elements submitted by the administration are not in their place.

Either the administration cannot or does not want to respond to the judge's request in this case, the judge prohibits the decision of the administration, which the latter did not justify, and this deficiency in evidence does not always mean that public procedures are always suspended on the will of public persons. Thus, if the administration lost the case file and it is impossible for it to submit it, this does not prove its bad will in the face of the judge, and the same if it is impossible for the administration to provide the required evidence and in the other case the administration refuses to directly respond to the request of the judge directed to it in order to provide information and whether the absence of evidence is from Just before the administration or not, the result that the judge deduces from that situation is the same, as it is considered that the claimant's allegations are correct .

The Motard State Council believes that the first -class judges asked the administration to submit some documents, which were supposed to be present in the administrative file "Mr. Motar" and submitted before the court, which was



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observed its absence and lack of The administration is to refrain from responding to that request. The reactions that were already determined and which was sufficient, the Administrative Court was an institution when it was considered correct as it did in the allegations of Mr. Motar.¹²

THE THIRD TOPIC :The role of the administration in proving the validity of its decisions

The principle of judicial oversight requires that the administrative judge enable this control in an effective manner, and to form a full conviction, and in this way, it directs the preparation and begins the positives positively impressive and the administration must respond to the judge's request and assign it within the scope. Preparation and any abstinence on its part by not submitting and the incomplete documents is an unsatisfactory method that may cost it the loss of the lawsuit, as the judge is estimated at the circumstances of each of the presentation that raised this position and the path of the two parties is estimated at the case and extracts his conviction from linking the individual's position and administration .

And if the administrative judge has an obligation to adjudicate the case with sufficient knowledge and knowledge, which authorizes positive powers to fully prepare the lawsuit by taking into account the defense rights, and it is justified for him to assign the two parties and in particular the administration to provide all documents, papers and data produced in the case, then it corresponds to an obligation that falls on the winning administration. The administrative papers respond to the assignment to submit the required papers and clarify the justifications for their actions and decisions, whether they are caused or unprecedented¹³ .

As a result of this commitment, the breach of it establishes a judicial presumption in favor of the plaintiff, which leads to the transfer of the burden of proof to the defendant administration, which was evacuated by the commitment so that when it does not respond to the commissioning, whether for its inaction or its failure to deposit the required, a desire to not reveal the truth of the matter and the reasons for its actions or because of The presence of a material impossibility as is the case in the event of a file loss, this makes the judge a solution of taking the data provided by the plaintiff in light of the rest of the elements learned from the file.



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Consequently, the administrative judge can actively directly entrusted the judicial control.

Accordingly, there is no place to say in our view that the burden of proving lack of legitimacy in some decisions, which is in which the administration has a discretionary authority that falls on the plaintiff, while for some other decisions, which is not the administration in the same authority, the burden of illegitimacy is based on the administration. The burden in both cases is the responsibility of the defendant who is disputed in legitimacy according to the general principle. However, where the administration has the documents that lead to the scrutiny of the claim, it is committed to submitting them, by virtue of its possession of administrative papers. The required papers and the legitimacy of the decision are proven. The plaintiff lost the lawsuit to bear the risks of insufficient evidence as the party on which the burden of proof is originally located. But if this legitimacy is not proven, it earns the lawsuit because the documents and papers submitted did not refute the serious claim, and thus apply, in the year of the general origin of the public that the proof of the prosecutor should be alongside the administration's commitment to submit the documents and papers in its possession and produced in the case with the assessment of its course in this regard Which is evident in the application regarding the reason for disciplinary decisions and administrative formalities to other data to be followed in the administration's records and files. Where the reason for the disciplinary decision is also proven by administrative formalities and other data related to administrative work in administrative papers, and therefore the administration is committed to submitting these papers that prove it and is under its hand by virtue of its administrative function, and if it fails to submit these papers sufficiently, the lawsuit is lost by the judicial approach in the interest of the plaintiff, transferring The burden of proof to the defendant administration.¹⁴

**FIRST REQUIREMENT: the case of response to the far request by
refute the claimant's allegations**

The means of commissioning to deposit documents and data lead to decisive positive results, so whoever is directed to him is either responding to it and providing the required documents and data within the deadlines specified for that.



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Consequently, the administrative judge can see the documents and elements that the other party could not see without interference on his part, and the ruling is issued in the light of it, whether by rejecting the lawsuit or responding to requests entirely or partially.¹⁵

SECOND REQUIREMENT: the case of the administration's failure to prove the validity of its decisions by making a negative or unconvincing position.

Odent explained the course of the State Council in the event that the administration is assigned to submit the documents by saying that the failure of the administration to respond or the impossibility of submitting the required, on its part, is explained as support for the validity of the prosecutor's allegations as long as they are possible and close to ratification and the judge's appreciation in this field is subject to the general atmosphere that prevails in the conditions of each lawsuit and what includes The file is documents that help to convince the judge.

In implementation, the plaintiff, who is disputed in the integrity of the administrative procedures mentioned in the record, if his allegations are possible and close to ratification and the administration has not deny it, then it is considered correct while it is considered incorrect if it contradicts and contradicts the same record unless the plaintiff submits documents that inferred from the existence of a strong doubt In the validity of these texts. In such a case, the State Council does not hesitate to start the appropriate investigation and hear witnesses, which may reveal the incorrect texts of the record, as is the case in the Poncin suit or reveal the opposite and lead to the conviction of the judge of the validity of the data contained in the administrative file

In light of the foregoing, the judge may be considered to the non -satisfactory course by the administration as a handicapped and his followers for the sake of the judicial oversight and that he put the position of the administration before the impossibility of completing the control entrusted to it and ends with the cancellation of the relevant decision in it, and the response to the prosecutor's request for a penalty for that. And whoever has emerged criminal cancellation cases when the administration is intransigent in its position with the intention of its part, as the judge may consider that the apparent claim specified by the plaintiff



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and supported by strong clues if the circumstances are helping to present these clues and even merely the apparent specific claim if it is not possible in the light of the circumstances. Consumer or proofs, because in both cases the claim is correct and fixed on the basis of the non -dispute of the administration in it seriously and not to present what refutes it and that its negative position indicates its inability to refute the claim and thus act as an acknowledgment of its validity and this is usually in cases where the administration fails to provide the required or that There are no documents under her hand that denies the prosecution, and in two cases the judge requires the plaintiff clear and clear allegations and to provide all the elements and evidence that are in power according to the circumstances Concerning it, the judge can reject such ignorant allegations .

The administration is able to be defended in the raised case, to adhere to a negative position, as it is sufficient for her to deny the claim of the plaintiff without being obligated to contribute to the search for the truth, so the judge based on his investigative authority with all sovereignty and according to the circumstances of the case to amend the administration's position mainly if She is required to participate in the investigation, under penalty that the claimant's allegations are considered as correct.¹⁶

Firstly: The case of the administration from submitting the documents carried out the proof of the legitimacy of the decision

a) The state of voluntary denunciation .

Either if the assignment is submitted to him, the required documents and papers are incomplete, or submitted documents and papers required, and he may not respond to the mandate at all and remain silent or what is likened to this. Cooperation, and in such cases, the French administrative judge is accustomed to proving the facts that the file papers did not deny and consider it true as long as the party to which the commission was directed did not refute it and did not provide the previous documents that he requested and that would question the validity or deny of these facts and this result is a penalty Or in exchange for neglecting or not cooperating with this party, as it may be evidence of the validity of the facts that the person concerned did not provide, which is the administration usually refutes it and was unable to prove their reversal by providing the papers that lead to this .



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Where it requires the administration to submit all other papers and documents produced in the matter as proof or negation, and if it is based on that or caused it to be lost, then this establishes a presumption in favor of the prosecutor to receive the burden of evidence for the administration and makes the court in a solution to the taking of the papers and the arguments he has provided Istaden and two .

When the administration notifies the lawsuit, it can submit on its own all the clarifications and documents that support its position and this is the normal situation, but if the administration is silent and intransigent, it refuses to submit the documents, the judge interferes and assigns it to submit the documents that he sees for its necessity. The burden of proof is transferred to it, meaning that this negative position is explained against it.

b) The case of the administration from submitting documents to the need not to disclose the professional secret or the secret of the national defense .

The refusal of submitting the required document can be justified by the necessity of not being unlimited the professional secret or the secret of the national defense. Thus, the authority that the administrative court often enjoys is to order the necessity of the investigation to submit documents or files from which all the documents that the competent authorities believe are believed. Its disclosure, even if it is under the guarantees of judicial forms, is not possible due to the necessity of national defense¹⁷ .

However, the administrative judge does not remain the weapon in front of this refusal to submit the documents due to secret .

The fact that the judge does not have to discuss this, so what is obligated to separate except based on the documents in the file referred to them and not others, but if it becomes clear to him that these documents are necessary to form his conviction regarding the points of conflict, then there is nothing that prevents from taking all the measures that are of nature to be placed at his disposal In legal ways, all necessary clarifications, even those related to the quality of the excluded documents as well as the reason for their exclusion, and so he has the option in the responsible authority case to provide him with all the clarifications that enable him



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to issue his ruling on his insight without touching directly or indirectly the secrets guaranteed by the law .

The judge can, if the administration refuses to provide him with secret documents, to face a request to the latter in order to provide him with information related to these documents, and this request is then subject to public law.

He has in the case in which that request is met by refusal to use this element to make his decision during the case in the case according to the total information in the file .

And if a dispute arises regarding the extent of a document of submission, the judge orders to be informed of the documents subject to the dispute to examine whether it is submitted or not to the meaning of the matter. The judge must order the party that possesses the document covered by the medical secret that the plaintiff can see it within the limits of respecting the requirements of legalizing medicine ethics under penalty of not carrying out the judicial profession, which is his profession personally .

The administrative judge can ask the administration to submit the secret document directly to him without the presence of the plaintiff and the lawyer. The file of the concerned and in front of the latter's refusal is because some documents deposited in the file are related to the secrets of the national defense. The court ordered a ruling before deciding on the matter to submit these documents to the counseling room, that is, the state of the prosecutor and its lawyer, by a representative of the Ministry of Defense and given the violation of this matter to the principle of the end of procedures, the State Council condemned this solution and affirmed the strictly the principle of the nature of the procedures in its decision dated on March 11th 1955

If the administration refuses to provide a document related to the secret of the national defense before the judge, then the latter deduces from that rejection results against the administration that shows him that it is bad.



Secondly: The case of the administration from submitting documents due to destruction or Cairo

The French administrative judiciary applies with an idea when the administration does not provide the required file or document, based on its loss or loss from under its hand, as it is considered that it has been put in the event of the administration in the event of impossibility to monitor the legitimacy entrusted with it, which is inevitably assaulted by claiming that the administration does not provide what negates its health .

The judge does not justify his immediate duty, and whoever has been done in the event of the impossibility of supervising legislation with negligence by the administration as a result of losing the file, it justifies the response to the plaintiff's request to cancel the contested decision, as the violation that the appellant claims is fixed in light of the file's condition so that if the missing file is found Then it was possible to reconsider the ruling.

Conclusion:

The role of the administrative judge in transferring the burden of supplementing administrative proof when it is impossible for the plaintiff to carry it is a sensitive and important matter. The judge contributes to directing the judicial process and ensuring justice and legal decisions. By requesting to provide additional evidence and relying on the circumstances surrounding the case, the judge achieves balance and justice. Depending on the critical and professional analysis of guidance and judgment, the judge contributes to ensuring the proper functioning of justice in accordance with the approved laws. In the end, the judge's role is the cornerstone of ensuring the application of the law and achieving justice in society.

Based on what has been discussed, some recommendations can be made :

1. Ensure that the necessary evidence and files required for the case before appearing before the judge are provided, to ensure the course of the judicial process smoothly .



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2. Prepare to present and document arguments and proofs in a tightly and proof, to increase the chances of winning the case .
3. Cooperation with your lawyer closely, and work with him to accurately equip the defenses and documents .
4. Using independent experts to submit technical reports if necessary, to enhance the strength of your arguments in front of the judge .
5. Adherence to legal ethics and act in integrity and transparency throughout the stages of the case, to ensure a fair and legal judicial decision.

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¹¹Hussein bin Al -Sheikh Atharwiya, selected in the State Council, Part 1, House of Printing Publishing, Algeria, 4.2006, p. 214

¹²Taheri Hussein, a brief explanation of the procedures followed in administrative materials, Dar Al -Khaldouni for Publishing and Distribution, Algeria, p. 27



**The role of the administrative judge in transferring the burden of supplementing administrative evidence
when it is impossible for the plaintiff to bear it**

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¹⁵Abdel -HakamFouda, Administrative litigation, The provisions of the abolition lawsuit and its typical formulas, vol. 1, Al -Maaref Facility, Egypt, 2003, p. 151

¹⁶Abdel Aziz Abdel MoneimKhalifa, aspects of appeal to cancel the administrative decision in jurisprudence and the judiciary of the State Council, Dar Al -Fikr University, Alexandria, 2002, p. 6.

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