

(1879) 08 AHC CK 0001

Allahabad High Court

Case No: None

Bhawani Kuar and
Another

APPELLANT

Vs

Rikhi Ram and
Another

RESPONDENT

Date of Decision: Aug. 12, 1879

Citation: (1880) ILR (All) 356

Hon'ble Judges: Straight, J; Spankie, J

Bench: Division Bench

Judgement

Spankie, J.

We are of opinion that the decision of the Judge is erroneous.

2. (Ram Kishen v. Bhawani Das ILR All. 333). The suit is not one for damages, but, under the circumstances, rather one for money payable by the defendant to the plaintiff for money received by the defendant for the plaintiff's use. The later decisions of this Court, and notably the one marginally noted, take this view of the law. The limitation would be three years. We reverse the decision of the lower Appellate Court, and remand the appeal for re-trial on the merits; costs will abide the result.