

(1880) 02 AHC CK 0003

Allahabad High Court

Case No: None

Pir Muhammad

APPELLANT

Vs

Banno

RESPONDENT

Date of Decision: Feb. 5, 1880

Citation: (1880) ILR (All) 688

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

Bench: Division Bench

Final Decision: Allowed

Judgement

Straight, J.

It seems to us that this appeal should prevail. By the bond of 17th December 1866, the property was charged for both principal and interest. The first instalment was payable in three years from the date of the bond with the accumulated interest, and the amount then becoming due would exceed Rs. 100. It was therefore an instrument creating an interest in Immovable property of the value of Rs. 100 and upwards, and u/s 17 of Act XX of 1866 required registration. The present case is analogous to one decided by Pearson, J., and Oldfield, J., in Rajpati Singh v. Ramsukhi Kuar ILR 2 All. 40, and the view we now hold is in accordance with the current of decisions in this Court See Ahmad Bakhsh v. Gobindi ILR 2 All. 216; Karan Singh v. Ram Lal I.L. R. 2 All. 96; and Darshan Singh v. Hanwanta ILR 1 All. 274 to which our attention was called in the course of the hearing. The appeal is decreed with costs, the judgment of the lower Appellate Court reversed and the decree of the Munsif restored.