

(1876) 06 AHC CK 0003

Allahabad High Court

Case No: None

Sher Singh and Others

APPELLANT

Vs

Tota Ram

RESPONDENT

Date of Decision: June 29, 1876

Citation: (1875) ILR (All) 261

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

Bench: Division Bench

Final Decision: Dismissed

Judgement

1. It is true that the Bent Act does not expressly declare that interest will accrue on other sums which may be recovered in the Revenue Court except sums due in respect of rent, but neither does it declare the Revenue Courts incompetent to award interest, and it would be contrary to the policy of the Act to compel a plaintiff to resort to the Civil Court to obtain compensation in the way of interest for the default in payment of sums which are only recoverable in the Revenue Courts. As it has been the practice in the Revenue Courts to decree interest on arrears of profits, we shall not interfere with the decree of the Court below in this respect.