

(1879) 03 AHC CK 0004

Allahabad High Court

Case No: None

Muhammad Daim
Khan

APPELLANT

Vs

The Collector of
Moradabad

RESPONDENT

Date of Decision: March 20, 1879

Citation: (1880) ILR (All) 198

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

Bench: Division Bench

Final Decision: Allowed

Judgement

Pearson, J.

In our opinion the ground of appeal is valid and must be allowed. The Bombay High Court's decision in the case of Ganpat Putaya v. The Collector of Kanara ILR 1989 Bom. 7 appears to be applicable in the present case. The principle that the Government takes precedence of all other creditors is not liable to an exception in the case of lien-holders. We decree the appeal with costs, and, reversing the lower Appellate Court's decree, restore that of the Court of First Instance.