

(1876) 06 AHC CK 0004

Allahabad High Court

Case No: None

Kulsum Bibi

APPELLANT

Vs

Zaibulnissa Bibi

RESPONDENT

Date of Decision: June 16, 1876

Citation: (1875) ILR (All) 250

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

Bench: Division Bench

Final Decision: Allowed

Judgement

1. We admit the validity of these objections. Assuming the Judge considered the excuse now alleged for the delay in the presentation of the appeal in the Court below (of which there is no proof), we cannot hold that an error in the calculation of the time allowed was, under the circumstances, sufficient cause for the delay. We decree the appeal, and, reversing the order of the lower Appellate Court, reject the appeal presented to the Judge on the ground that it was barred by limitation. The appellant will recover costs in this and the lower Appellate Court from the respondent.