

(1879) 08 AHC CK 0007

Allahabad High Court

Case No: None

Darbo

APPELLANT

Vs

Kesho Rai

RESPONDENT

Date of Decision: Aug. 13, 1879

Citation: (1880) ILR (All) 357

Hon'ble Judges: Robert Stuart, C.J; Turner, J; Spankie, J; Oldfield, J

Bench: Full Bench

Final Decision: Disposed Of

Judgement

1. In so far as the appellant now claims possession of property to which she formerly claimed a declaration of title, we are of opinion that the suit is clearly not barred; she is seeking a different relief, and the relief she formerly sought was refused her in respect of this property, on the ground that the Court ought not to exercise its discretionary power of awarding a declaration of title when relief can be obtained by an ordinary suit for possession.