

(1879) 04 AHC CK 0013

Allahabad High Court

Case No: None

Collins

APPELLANT

Vs

Maula Bakhsh and
Others

RESPONDENT

Date of Decision: April 23, 1879

Citation: (1880) ILR (All) 285

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

Bench: Division Bench

Judgement

Pearson, J.

The appeal must prevail. The decision of the lower Courts is opposed to numerous rulings of this Court see Husain Bakhsh v. Madge ILR All. 525 to the effect that an application to transfer a decree for execution from one Court to another is an application to keep a decree in force. We accordingly decree the appeal with costs, and reversing the orders of the lower Courts, direct the Court of First Instance to proceed with the application according to law.