

(1880) 01 AHC CK 0015

Allahabad High Court

Case No: None

Juala Prasad

APPELLANT

Vs

Khuman Singh

RESPONDENT

Date of Decision: Jan. 8, 1880

Citation: (1880) ILR (All) 617

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

Bench: Division Bench

Final Decision: Dismissed

Judgement

Straight, J.

The question as to the amount of interest to be allowed to the plaintiff, subsequent to the expiration of the four years for which the bond was given, has been properly treated by the lower Appellate Court as one of damages. Upon consideration we think that, having regard to the length of time, that has elapsed since the bond ran out, to the date on which this suit was instituted, the sum decreed by the Subordinate Judge is equitable and his decision must stand. But for the plaintiff's laches we should have thought the amount agreed by the defendant to be paid under the bond was a reasonable basis on which to estimate the subsequent damages (see also Baldeo Panday v. Gokal Rai ILR I All. 603. The appeal is dismissed, but each party must pay his own costs.