

79 Ind. Cas. 408 : (1923) 18 LW 836

Madras High Court

Case No: None

Rangiah Chettiar

APPELLANT

Vs

Annaswamy Alwar
Ayyangar

RESPONDENT

Date of Decision: Sept. 6, 1923

Citation: 79 Ind. Cas. 408 : (1923) 18 LW 836

Hon'ble Judges: Kumaraswamy Sastri, J

Bench: Single Bench

Judgement

Kumaraswamy Sastri, J.

The petition was presented when the old Insolvency Act, III of 1907, was in force. Nothing was done except transferring the application to the Official Receiver. After the new Insolvency Act, V of 1920, came into force the adjudication order was passed. It is contended that the provisions of the old Act applied and that all cases filed when Act III of 1907 was in force should be dealt with on the footing that that Act continues to be in force. I do not think that contention is sound. No doubt any order passed under the Act or rights obtained there under will be unaffected by the new Act. I can find no authority for holding that, in spite of passing of Act V of 1920, all proceedings, on petitions filed under Act III of 1907, should continue to be dealt with under the provisions of the old Act.