

(1926) 06 CAL CK 0002

Calcutta High Court

Case No: None

Golam Rahaman Mondal

APPELLANT

Vs

Srimati Sabekjan Bibi

RESPONDENT

Date of Decision: June 14, 1926

Acts Referred:

- Registration Act, 1908 - Section 77

Citation: 97 Ind. Cas. 762

Hon'ble Judges: Cammiade, J; B.B. Ghose, J

Bench: Division Bench

Judgement

1. In this case we are of opinion that the plaintiff is entitled to put his own valuation of the suit. The suit is not with regard to any land or interest in land. The sole object of the suit was to get a certain document registered. It was brought u/s 77 of the Indian Registration Act. The plaintiff valued the suit at the value of the property as mentioned in the document. Under the circumstances we are of opinion that the learned Munsif had full jurisdiction to deal with the matter. The Rule is, therefore, made absolute and the case is sent back to the Court of first instance for hearing on the merits.

2. The petitioner is entitled to his costs of this Rule Hearing-fee, two gold mohurs, costs of the lower Courts will abide the final result.