

Gooroo Prasanno Lahiri and Another Vs Ambikamoyi Dasya and Another

Court: Calcutta High Court

Date of Decision: June 21, 1909

Judgement

1. This is an appeal presented against a judgment passed by Mr. Justice Lal Mohan Doss, and a preliminary objection has been taken that as the

learned Judge has merely remanded the case for trial of certain issues of fact no appeal is competent. In support of this contention, the decision in

Kalikristo Paul v. Ramchunder Nag 8 C. 147 has been cited. This is a case which apparently has always governed the practice of this Court, and

we think it cannot be distinguished from that before us now. We, therefore, allow the objection and dismiss the appeal with costs. But in order that

the appellant before us shall not be prejudiced, the case on remand should again come before a single Judge.