

(1916) 06 CAL CK 0004

Calcutta High Court

Case No: None

In Re: Khetra Mohan Girl

APPELLANT

Vs

RESPONDENT

Date of Decision: June 21, 1916

Final Decision: Allowed

Judgement

Sanderson, C.J.

Since yesterday I have caused enquiries to be made with regard to the practice affecting this matter and I find that the well-known practice is that an application for revision must be made within 60 days from the date of the order complained of. The Court has allowed an addition, to the 60 days, of the time which is necessary for obtaining copies. This is not a question of limitation but a rule of the practice of the Court to the effect that an application for revision must be made within a reasonable time. It is not an inflexible rule and in exceptional circumstances the rule might be departed from. In this case the date of making over the copy to the Applicant was the 1st day of June, so that there was ample time to make this motion on one of the usual motion days, namely, Monday, the 5th of June or Monday, the 12th of June. Yet this motion was not made until the 19th of June when it was out of time. In these circumstances, we are of opinion that this application should not be entertained.

Walmsley J.

2. Concurred.