

(1868) 08 CAL CK 0004

Calcutta High Court

Case No: None

Ambica Charan Nag

APPELLANT

Vs

Mussamat Shibosundari Debi

RESPONDENT

Date of Decision: Aug. 26, 1868

Judgement

Jackson, J.

It appears tome that this special appeal is groundless. The plaintiff has shown that the decision of the Civil Court ban established his right to the land in question. It is not the meaning of section 77 of Act X of 1859, that an intervenor should be allowed to set up an allegation of receipt of rent against a recent declaration of title, nor could the plaintiff be justly remitted to a fresh suit to establish that which he had already established in a former suit. The special appeal is dismissed with costs.