

(1868) 09 CAL CK 0011

Calcutta High Court

Case No: Appeal No. 7 of 1868

Raja Satyasan Ghosal Bahadur

APPELLANT

Vs

Bhairab Chandra Brahmo

RESPONDENT

Date of Decision: Sept. 4, 1868

Judgement

Sir Barnes Peacock, Kt., C.J.

The question decided by the Division Bench, in respect of which this appeal has been brought, arose in a special appeal from the decision of the Principal Sudder Ameen. We agree with Mr. Justice Loch in thinking that execution was barred by limitation. Nothing was done upon the petitions of the 4th May 1861 and 14th August 1862, and they were consequently struck off for default. They did not, therefore, keep the execution alive. The appeal is dismissed with costs.