

(1925) 12 CAL CK 0044

Calcutta High Court

Case No: None

Khetra Mohan Saha and Others

APPELLANT

Vs

Sarat Chandra Saha

RESPONDENT

Date of Decision: Dec. 4, 1925

Acts Referred:

- Civil Procedure Code, 1908 (CPC) - Section 47

Citation: AIR 1926 Cal 830 : 94 Ind. Cas. 352

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

Bench: Division Bench

Judgement

1. As this is an appeal purporting to be against an order which merely refuses to stay execution of a certain decree, there is no appeal under the Code against such an order which is not an order u/s 47, C.P.C.

2. The appeal is, therefore, dismissed but without cost as there is no appearance on behalf of the respondent.