

(1881) 02 CAL CK 0011

Calcutta High Court

Case No: None

Buddree Doss and
Others

APPELLANT

Vs

Ralli and Another

RESPONDENT

Date of Decision: Feb. 8, 1881

Citation: (1881) ILR (Cal) 678

Hon'ble Judges: Richard Garth, C.J; Pontifex, J

Bench: Division Bench

Judgement

Richard Garth, C.J.

We think that the first question should be answered in the negative.

2. As to the second question, we think that the week allowed for recleaning the seed commenced from the 10th July, when the refraction was found to be thirteen per cent. The time occupied by the plaintiff in recleaning was only two days; but as they did not succeed in reducing the refraction to the rate of six per cent., the defendants had a right to reject the seed. It is clear that the plaintiffs were not entitled by the terms of the contract to any further time to re-clean it again.

3. The defendants are entitled to the costs of this reference.

4. Attorney for the Plaintiffs: Mr. Camell.

5. Attorneys for the Defendants: Messrs. Sanderson & Co.