

(1867) 05 CAL CK 0005

Calcutta High Court

Case No: Miscellaneous Appeal No. 495 of 1866

In Re: Jankee Bullub Sen

APPELLANT

Vs

RESPONDENT

Date of Decision: May 31, 1867

Judgement

Sir Barnes Peacock, Kt., C.J.

We think that the Principal Sudder Ameen had power to do what he did. Whether he raised a right issue, with reference to the alleged adjustment or not, it is clear that he required the attendance of Jankee as a witness to be examined as to the alleged adjustment, and that Jankee, the witness, refused to attend. The Principal Sudder Ameen therefore had a right to deal with him according to law as a witness refusing to attend. Under these circumstances, we think that this Court, in the exercise of its general power of superintendence over the lower Courts, ought not to interfere with the order of the Principal Sudder Ameen.

⁽¹⁾ See In the matter of the Petition of Gobind Coomar Chowdhary, ante, p. 714.