

(1880) 07 CAL CK 0009

Calcutta High Court

Case No: None

Ramlall Agarwallah

APPELLANT

Vs

Moonia Bibee and
Others

RESPONDENT

Date of Decision: July 12, 1880

Citation: (1881) ILR (Cal) 79

Hon'ble Judges: Wilson, J

Bench: Single Bench

Judgement

Wilson, J.

I consider it unnecessary to go into the facts, but upon the broad principle of law, laid down in the case of Earl Cholmondeky v. Lord Clinton (19 Ves. 261), viz., that an attorney having discharged his client cannot change sides, I will not enter into or decide the motion on the facts as stated in the affidavits. I feel myself bound to follow the ruling laid down in the case cited. I thought it would be for the benefit of the profession, that attorneys should know clearly what cases they were entitled to take up. Mr. Wheeler having admitted that he took an active part in the conduct of the defendants' case, I consider that the defendants are entitled to the order asked for; but in granting the application I wish it to be understood, that I have not entered into a discussion of the facts of the present case, and have refrained from any consideration of the question as to which of the parties to the application would be most prejudiced by my order. I would, thererore, simply decide the matter upon the point of law laid down in the case cited by Mr. Hill.