

(1872) 11 CAL CK 0004

Calcutta High Court

Case No: None

Rajmohun Bose and
Another

APPELLANT

Vs

The East Indian
Railway Company.

RESPONDENT

Date of Decision: Nov. 18, 1872

Judgement

Macpherson, J.

At the time I granted the injunction, I contemplated the company making alterations such as would make it possible for them to continue to use these workshops: and if I had been asked to do so, I should have granted them a reasonable time within which to make the necessary alterations. I shall therefore now give them time on their undertaking to use coke and to do every thing in their power to mitigate the nuisance and on their paying the costs of this application. They must use coke except when the wind is from the north, and they must do all that they possibly can to prevent annoyance to the plaintiffs. On those terms they may have three months from the date of the, notice they gave of this application,--that is to say, they may hare until the 9th of April.

⁽¹⁾ The case appears to be unreported, but the granting of the injunction is mentioned in a report of further proceedings between the parties; see The Weekly Notes for Dec. 28, 1872, p. 235.