

Isoob Sahiba Valad Abdul Rahim Vs Haidar Sahiba Valad Imam Sahiba

Court: Bombay High Court

Date of Decision: June 16, 1921

Citation: (1922) ILR (Bom) 125

Hon'ble Judges: Shah, J; Norman Macleod, J

Bench: Division Bench

Judgement

Norman Macleod, Kt., C.J.

This is a reference by the Subordinate Judge of Honawar asking this Court to decide the point whether

applications for execution of decrees are proceedings in suits and do not require separate Vakalatnamas u/s 10(1) of Act XVII of 1920. We think

the question should be answered in the affirmative. We see nothing in the Bombay Act XVII of 1920 which would change the ordinary practice

with regard to Vakalatnamas. There is no necessity why as additional tax should be imposed upon litigants, and clearly the original Vakalatnama in

the suit continues in force for the purpose of execution proceedings, although under the Act the Vakil is now entitled to a separate fee on account

of those proceedings.