

(1921) 06 BOM CK 0039

Bombay High Court

Case No: None

Isoob Sahiba Valad Abdul Rahim

APPELLANT

Vs

Haidar Sahiba Valad Imam
Sahiba

RESPONDENT

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 an 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.