

(1887) 02 CAL CK 0003
In the Calcutta High Court

Hossain Bux

APPELLANT

Vs

Mutookdharee Lall and Others

RESPONDENT

Date of Decision : 10-02-1887

Acts Referred:

Bengal Tenancy Act, 1885 — Section 143

Citation : (1887) ILR (Cal) 312

Hon'ble Judges : W. Comer Petheram, C.J.;Cunningham, J

Bench : Division Bench

Judgement

W. Comer Petheram Petheram, C.J.—It appears, on an examination of the Code, that the order in question is not a suit within the meaning of Section 143 of the Bengal Tenancy Act of 1885, as the operation of that section is confined to suits between landlord and tenant. This is not a proceeding between landlord and tenant, but a proceeding initiated by some third person who does not fill either of these positions. Under these circumstances, and it not being shown to us that unless it comes within the meaning of Section 143, this order would be appealable at all, we must hold that the order is not appealable, and therefore we must dismiss the appeal for that reason.