

(1920) 02 CAL CK 0070
In the Calcutta High Court

Jasir Khan

APPELLANT

Vs

Emperor on The Complaint of Hrishikesh Ghorni

RESPONDENT

Date of Decision : 19-02-1920

Acts Referred:

Citation : 56 Ind. Cas. 61

Hon'ble Judges : Lancelot Sanderson, C.J; Walmsley, J

Bench : Division Bench

Judgement

1. In this case we make the Rule absolute and direct that the appeal of Jasir Khan be re-heard. We are far from saying that the learned Additional Sessions Judge was wrong in refusing to hear the learned Pleader inasmuch as he had not got any Vakalatnama.

2. But having regard to the fact that the learned Pleader appeared on behalf of the appellant, we think that the learned Additional Sessions Judge might perhaps have adjourned the case until the Vakalatnama was forthcoming. The result of what took place was that the learned Additional Sessions Judge heard the Public Prosecutor upon the evidence and the appellant had not the advantage of being represented by the learned Pleader to whom he had in fact given instructions.

3. Consequently, we think that this Rule must be made absolute and the appeal of Jasir Khan must be re-heard.