

(1919) 05 CAL CK 0008
In the Calcutta High Court

Jnanada Sundari Chowdhurani and Others

APPELLANT

Vs

Jilapi Bewa and Others

RESPONDENT

Date of Decision : 08-05-1919

Acts Referred:

Citation : 53 Ind. Cas. 184

Hon'ble Judges : Newbould, J

Bench : Single Bench

Judgement

Newbould, J.—The plaintiff-appellant brought this suit for recovery of possession of certain land on establishing her title thereto, Both the Courts below have granted the plaintiff a decree declaring her title but held that she was not entitled to khas possession. The finding is that the defendants, who are tenants of the plaintiff in respect of other lands, have been occupying the land in suit for more than 12 years claiming the right of tenancy thereto. The rulings cited in the judgment of the lower Appellate Court, *Ishan Chandra Mitter v. Raja Bamranjah Chakarbutty* 2 C. L. J. 125., *Raktoo Singh v. Sudhram Ahir* 8 C. L. J. 557. and *Protap Narain Mukerjee v. Biraj Dasi* 20 Ind. Cas. 823; 19 C. L. J. 77., fully support the decisions of the Courts below that on the facts found by them the defendants must be held to have acquired a limited interest in the land by adverse possession.

2. The appeal fails and must be dismissed with costs.