

(1886) 05 CAL CK 0006
In the Calcutta High Court

Jodoonath Mundul

APPELLANT

Vs

Brojo Mohun Ghose and Raj Narain Ghose

RESPONDENT

Date of Decision : 20-05-1886

Acts Referred:

Citation : (1886) ILR (Cal) 174

Hon'ble Judges : Prinsep, J;Beverley, J

Bench : Division Bench

Judgement

Prinsep, J.—This is an appeal against an order passed by the Munsif refusing to give the decree-holder permission to purchase at a sale held in execution of a decree.

2. In our opinion no appeal lies against such an order. The appellant's pleader contends that an appeal lies u/s 588, Clause 16, but that clause seems to us to allow an appeal only against an order u/s 294 confirming or setting aside or refusing to set aside a sale of Immovable property, and not against an order refusing to give a decree-holder permission to bid. The appeal must therefore be dismissed with costs.