

(1948) 01 PAT CK 0030
In the Patna High Court

Moti Lall Parmanik

APPELLANT

Vs

Mt. Jagat Rani Devi and Another

RESPONDENT

Date of Decision : 29-01-1948

Acts Referred:

Civil Procedure Code, 1908 (CPC) — Section 111

Citation : AIR 1949 Patna 77

Judgement

1. This is an application for leave to appeal to His Majesty in Council from the decision of a single Judge of this Court sitting in second appeal. After the disposal of the second appeal the present applicant applied for leave to appeal under the Letters Patent; but this was refused. In precisely similar circumstances, Parmeshwar Dayal Singh and Others Vs. Brindaban Chandra Sarkar and Others, , this Court took the view that the Section 111, Civil P.C. is a bar to leave to appeal to His Majesty in Council being granted, although, of course, it may be observed that Section. 111 does not affect the power of the Privy Council to grant special leave to appeal. The application is, therefore, rejected with costs hearing fee three gold mohurs.