

(1897) 10 MAD CK 0004
In the Madras High Court

Narayana Chetti

APPELLANT

Vs

Lakshmana Chetti

RESPONDENT

Date of Decision : 21-10-1897

Acts Referred:

Contract Act, 1872 — Section 43

Citation : (1898) ILR (Mad) 256

Hon'ble Judges : Arthur J.H. Collins, C.J.;Shephard, J

Bench : Division Bench

Judgement

1. According to the law declared in the Contract Act, Section 43, especially when taken with Section 29 of the Civil Procedure Code, it is clear

that it is not incumbent on a person dealing with partners to make them all defendants. He is at liberty to sue any one partner as he may choose,

Lukmidas Khimji v. Purshotam Haridas ILR 6 Bom. 700.

2. The petition must therefore be dismissed with costs.