

(1907) 03 BOM CK 0007
In the Bombay High Court
Case No : Second Appeal No. 225 of 1906

Nathu Lakshman

APPELLANT

Vs

Vazir Bhau

RESPONDENT

Date of Decision : 21-03-1907

Acts Referred:

Dekkhan Agriculturists Relief Act, 1879 — Section 15B(1)

Citation : (1907) 9 BOMLR 550

Hon'ble Judges : Lawrence Jenkins, J;Beaman, J

Bench : Division Bench

Judgement

Lawrence Jenkins, C.J.—The terms of Sub-section (1) of Section 15B of the Dekkhan Agriculturists' Relief Act in relation to the payment of interest are certainly not clear. Mr. Shingne's argument has been that it is compulsory on the Court to award interest by reason of the expression contained in that sub-section, but we think that the words used do not require that view. We think that there is a discretion in the Court as to whether or not interest should be allowed and coming to that conclusion we certainly do not in the circumstances of this case consider that there is any reason to interfere.

2. We must therefore confirm the decree with costs.