

---

**(1910) 03 CAL CK 0046**  
**In the Calcutta High Court**

|                                     |            |
|-------------------------------------|------------|
| Raja Ram Ranjan Chakravarti Bahadur | APPELLANT  |
| Vs                                  |            |
| Bunwari Lal Mitter and Others       | RESPONDENT |

---

**Date of Decision :** 01-03-1910

**Acts Referred:**

**Citation :** 17 Ind. Cas. 170

**Hon'ble Judges :** Sharf-ud-din, J; Brett, J

**Bench :** Division Bench

---

### **Judgement**

1. In our opinion, these three appeals must fail. The question which the lower Court had to determine in these cases was what was the proportion in which the landlord and the patnidar were entitled to receive the compensation money. The lower Court, following the principle, which has been laid down by this Court in the case of Dinendra Narain Roy v. Sitaram Mukerjee 30 C. 801 : 7 C.W.N. 810 has held that, as there was no abatement of rent by the landlord to the patnidar in respect of the land acquired, the landlord is entitled to no portion of the compensation. The learned Pleader for the appellant has invited us to a lengthy discussion of the cases which were fully considered in the case above referred to, but we think that no useful purpose will be served by employing our time in such a consideration. In our opinion, the view taken by the learned Judges in the case on which the District Judge has relied is correct and it has been followed by this Court ever since that judgment was delivered. In these circumstances, we see no reason to hold that the view taken by the lower Court is not correct. We, therefore, dismiss all the three appeals with costs. We assess the hearing fee at three gold mohurs in Appeal No. 367 and at one gold mohur in each of the two Appeals Nos. 382 and 383.