

(1889) 04 PRI CK 0001

In the Privy Council

Rajab Ali

APPELLANT

Vs

Amir Hossein and others

RESPONDENT

Date of Decision : 03-04-1889

Acts Referred:

Citation : (1890) 17 ILRPC 1

Hon'ble Judges : Watson, Macnaghten, R. Couch, JJ.

Judgement

Watson, J. 1. Their Lordships have come to the conclusion that this appeal ought not to be allowed. They are not disposed to agree with the view taken by the learned Judges of the High Court, to the effect that the Court had no discretion to enlarge the time allowed for finding security, or to accept another security in lieu of the bond which had been filed by the appellant upon the 2nd April 1885. At the same time they are very clearly of opinion, in the circumstances of the case, that if the Court had assumed the discretionary power, which their Lordships think they possess, they would not have exercised it rightly if they had acceded to the motion which is said to have been made on behalf of the appellant. 2. Their Lordships will humbly report to Her Majesty that this appeal ought to be dismissed.