

(1903) 11 MAD CK 0014
In the Madras High Court

Yenathi Naidu

APPELLANT

Vs

Kujjaligan

RESPONDENT

Date of Decision : 09-11-1903

Acts Referred:

Citation : (1905) 15 MLJ 223

Hon'ble Judges : Bhashyam Aiyangar, J

Bench : Division Bench

Judgement

Bhashyam Aiyangar, J.—There were two points for determination viz., (1) whether the bond was executed and if so (2) whether there was

consideration for it. The only decision recorded is ""Finding Negative."" It is impossible to say what the decision is whether it is that the bond is

genuine but there was no consideration or that the bond itself is not proved. The District Munsif's judgment cannot, therefore, be regarded as a

judgment in law within the meaning of even paragraph 1 of Section 203, C.P.C.

2. The decree is accordingly reversed and the suit remanded for being disposed of according to law upon the evidence already on record after

hearing both parties on a day to be appointed for the purpose. Costs will be costs in the cause.