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Code of Civil Procedure 1908

Section 103 - POWER OF HIGH COURT TO DETERMINE ISSUE OF FACT In any second appeal, the High Court may, if the evidence on the record

a) which has not been determined by the lower appellate court or both by the court of first instance and the lower appellate court, or (b) which has been wrongly determined by such court or courts by reason of a decision on such question of law as is referred to in section 100. APPEALS AND ORDERS