

Emperor Vs. Wazir Ahmad

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SooperKanoon Citation : sooperkanoon.com/449145

Court : Allahabad

Decided On : Mar-17-1902

Reported in : (1902)ILR24All309

Judge : Blair, J.

Appellant : Emperor

Respondent : Wazir Ahmad

Judgement :

Blair, J.

1. The order for payment of so much fine per day so long as the building continues to stand is illegal. The addition of such an order is premature. There must be proof of a continuing offence before the jurisdiction of a Magistrate to make such an order arises. That portion, therefore, of the order will be set aside. I am supported in this view by the decision of the Calcutta High Court in Ram Krishna Biswas v. Mohendra Nath Mozamdar (1900) I.L.R. 27 Calc. 565.