

ishdat Tiwari and anr. Vs. Tameshwar Tiwari and ors.

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SooperKanoon Citation : sooperkanoon.com/456735

Court : Allahabad

Decided On : Mar-20-1923

Reported in : (1923)ILR45All537

Judge : Piggott, J.

Appellant : ishdat Tiwari and anr.

Respondent : Tameshwar Tiwari and ors.

Judgement :

ORDER

Piggott, J.

1. I have considered the office report and the arguments of counsel. The cross-objections are admittedly liable to an ad valorem fee on the subject matter in dispute. This can only be ascertained by an examination of the decrees passed by the courts below. The first court dismissed the plaintiffs' suit: the lower appellate court gave the plaintiff Ishdat a decree 'ba qadr jaedad maliyat mubligh Rs. 100-10-0.' The defendants in their petition of cross-objections ask for the restoration of the first court's decree. I hold that the value of the subject matter in dispute on their petition of cross-objections is Rs. 100-10-0: they must pay an ad valorem fee on this amount. I allow them one month within which to make good the deficiency.

