

Emperor Vs. Nathi Mal

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SooperKanoon Citation : sooperkanoon.com/461459

Court : Allahabad

Decided On : May-27-1914

Reported in : (1914)ILR36All513

Judge : Piggott, J.

Appellant : Emperor

Respondent : Nathi Mal

Judgement :

Piggott, J.

1. The District Magistrate of Cawnpore has for certain reasons given in his order transferred a criminal case pending in the court of Mr. J. N. G. Johnston, Joint Magistrate of Cawnpore, for trial by Mr. R. H. Williamson, chairman of municipal board, Cawnpore. I have no doubt that when Mr. R. H. Williamson was gazetted to the office of chairman of the municipal board, and took charge of that office, he was thereby divested of his territorial jurisdiction as magistrate, 1st class, attached to the Cawnpore district. Even if it could be contended that Mr. Williamson continued to be a magistrate of some sort while holding the office of chairman, municipal board, I am quite clear that he is not a magistrate subordinate to the District Magistrate. The order complained of cannot be sustained. It is therefore set aside.

