

Bindeshri and anr. Vs. Babu Somnath Bhadry and ors.

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SooperKanoon Citation : sooperkanoon.com/464565

Court : Allahabad

Decided On : Mar-13-1916

Reported in : AIR1916All199; 35Ind.Cas.347

Judge : Piggott and ;Walsh, JJ.

Appellant : Bindeshri and anr.

Respondent : Babu Somnath Bhadry and ors.

Judgement :

1. We think the learned District Judge has overlooked the effect of Section 47 of the Indian Registration Act (Act XVI of 1908). We think that, when registration of this deed was completed, it' operated from the date of the execution, namely, the 20th of January 1909. A right to sue accrued to the plaintiff from the date of the sale, and he was beyond time when he filed his suit on the 20th of January 1915, We allow this appeal, set aside the order of the lower Appellate Court and restore the decree of the first Court dismissing the plaintiff's claim as barred by limitation. The defendants-appellants in this Court will get their costs in all the three Courts.