

NaThe Singh and ors. Vs. Emperor

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SooperKanoon Citation : sooperkanoon.com/479280

Court : Allahabad

Decided On : Nov-24-1926

Reported in : AIR1927All829

Appellant : NaThe Singh and ors.

Respondent : Emperor

Judgement :

Kendall, J.

1. A preliminary objection has been taken to this application on the ground that no application has been made for revision to the Sessions Judge. It is admitted that no such application has been made, although it is claimed that the fact that an appeal was made to the District Magistrate ought to be sufficient. That is, however, quite a different matter. It has been decided by a Bench of this Court in Sharif Ahamad v. Qabul Singh A.I.R. 1921 All. 30 that so far as the practice of the High Court in the matter of applications for revision on the criminal side is concerned, an application to the lower Court should be considered an essential step in the procedure. In future, therefore, failure on the part of the applicant to submit his application through the lower Court will operate as a bar to the application being entertained by the High Court. In view of this decision, I am precluded from tearing the application at this stage. It is, therefore, dismissed.

