

Ramappaya Vs. Charda Bhatta

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SooperKanoon Citation : sooperkanoon.com/797394

Court : Chennai

Decided On : Aug-05-1910

Reported in : 7Ind.Cas.568

Judge : Wallis and ;Krishnaswami Aiyar, JJ.

Appellant : Ramappaya

Respondent : Charda Bhatta

Judgement :

1. The decree directs the defendant to surrender the garden, on the plaintiff paying him Rs. 767 for improvements. He might have paid this at any time after the decree, and his application for delivery more than three years from the date of the decree is, therefore, time-barred. We agree with the observations of this Court in Rangiah Gounden & Co. v. Nanjappa Row 26 M. 780 : 13 M.L.J. 412., and are not prepared to follow the decision of the Allahabad High Court in Chhedi v. Lalu 24 A. 300 : 60 A.W.N. (1902). This appeal is dismissed with costs.