

In Re: Poona Kooer

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SooperKanoon Citation : sooperkanoon.com/852190

Court : Kolkata

Decided On : Aug-25-1875

Reported in : (1876)ILR1Cal101

Judge : Glover and ;Mitter, JJ.

Appellant : In Re: Poona Kooer

Judgement :

Glover, J.

1. Baboo Moheshchunder Chowdhry, who has appeared for the opposite party, contends that the law does not provide for a review in a case like this, and has quoted in support of his argument the case of Siva v. Chenamma 5 Mad. H.C. Rep. 417 in which it appears to be laid down that the provisions of the Code of Civil Procedure regarding reviews of judgment are not applicable to orders passed under Act XXVII of 1860, but there is another case which has been decided in this Court, namely--that of Hameeda Beebee v. Noor Beebee 9 W.R. 394 in which the contrary has been ruled, and which ruling we think we ought to follow. We see no reason why this Court should not exercise jurisdiction in the matter and consider the merits of the application for demanding security to be taken from Mussamut Khatun Kooer to whom the certificate has been granted.