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**In Re: Lalla Gopee Chand and ors.**

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**SooperKanoon Citation** : sooperkanoon.com/857721

**Court** : Kolkata

**Decided On :** Dec-15-1876

**Reported in** : (1877)ILR2Cal128

**Judge** : Markby, J.

**Appellant** : In Re: Lalla Gopee Chand and ors.

**Judgement** :

**Markby, J.**

1. In my opinion the officer was right in declining to receive the deposit. The applicant claims the benefit of Section 8 of Act VI of 1874 and Section 5 of Act IX of 1871, the 16th of November being the day on which the Court re-opened in the sense that that was the day upon which the Benches sat as usual for the first time. But those sections only apply to suits, appeals, and applications. No application was necessary in this case; the money is merely, brought to the officer of the Court, who receives it making the usual entries, and this could have been done on any day after the 23rd of October.

2. I have enquired as to the practice, and I find that it has always been usual, when the last day falls during the period when the offices are closed, for the money to be brought in before the holidays commence.

3. I am also asked to give permission that the money be deposited now. I do not think I have power to do that.

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