

In Re: Chandrakanta De

In Re: Chandrakanta De

SooperKanoon Citation : sooperkanoon.com/868668

Court : Kolkata

Decided On : Nov-09-1880

Reported in : (1881)ILR6Cal445

Judge : Richard Garth, C.J. and ;Maclean, JJ.

Appellant : In Re: Chandrakanta De

Judgement :

Richard Garth, C.J.

1. In our opinion Section 188 applies to orders made by public functionaries for public purposes, and not to an order made in a civil suit between party and party; so we think the Magistrate was right in refusing to-act under the section.

2. If the defendant in the suit has disobeyed the injunction, the Judge ought, on the application of the plaintiff, to have sent him to jail for disobeying the Court's order; that was the proper remedy.