

C.R. 60/47

[F. H. C. SCH. III-1.]

Rep. to DB
85

Orissa, Cuttack

In the High Court of Judicature at Patna.

(Civil Appellate Side.)

TITLE PAGE.



PART I.

(THIS FILE MUST BE PRESERVED FOR EVER)

~~APPEAL FROM~~ Civil Revision

No. 60 of 1947.

Krushna Ch. Mohapatra *petur*
Appellants.

Bansidhar Mohapatra & ors. *o parties*
Respondents.

DATE OF DECISION OF HIGH COURT 26.7.48.

DITTO OF PRIVY COUNCIL _____

60/1947-1

In the High Court of Judicature, at Patna.

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C.R. Appeal No. 60 of 1947. *petn*
Krishna ch. Mohapatra Appellant,
versus
Bansidhar Mohapatra & ans. - *o. parties*
 Defendant.

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	Remand-order	
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	Award of arbitrators or petitions of Compromise and Court's permission thereto.	
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Compared and found correct.

N. J. Khan
 Signature of Officer of Court.

Date 12/8/1948

30/8
 Record-keeper.

60/1947-2

In the High Court of Judicature at Patna.

Cuttack Circuit

ORDER-SHEET.

C.R. ~~100~~ No. 60 of 1947.

Youshna Chandra Mohapatra

Appellant

versus

Bansidhar Mahapatra & ors

o. parts
Respondent.

Serial No. of Order.	Date of Order.	ORDER WITH SIGNATURE.	Office note as to action (if any) taken on Order.
1.	10.11.47	Filed. Presented. Put up for orders	For admission
2.	24 ⁴ / ₄₇	Taken as represented. Register	do 10/14
3.	11.3.47	Admit. Issue notice.	Tal etc. to be filed.
4.	23.9.47	Tallana in Revon matter filed within the prescribed time. If it is not filed within.....5..... days, the case will be placed before the Bench for orders.	Tal etc. in Revon matter not filed. Time allowed twice. For orders No 60/1947-3 (sent)

Ass & Registrar

Ass & Registrar

Ass & Registrar

Ass & Registrar

OT. No 4

Serial No. of Order.	Date of Order.	ORDER WITH SIGNATURE.	Office note as to action (if any) taken on order.
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5. 5.9.47. 14 days' time is allowed to ~~the~~ file talbana etc, failing which the application will stand dismissed without further reference to a Bench.

9/9
S.H.

Talbana etc. in Revn matter filed. Notice issued. Date fixed 15.10.47. L.C.R. called for.
 Ho
 AR

6. 11.12.47. It is stated that the valuation of the revision is Rs 28000/- instead of Rs 8000/- as mentioned. Let this be placed before a Division Bench for hearing.

B.B. Singh

L.C.R. received and fixed on 26.4.47
 At 26/9
 S.R. need. service is sufficient on all the O.P.s

(Ready)

OS
18/11

7. 26.7.48 This application is allowed to be ~~not~~ withdrawn. The opposite party will get half the costs.

L. Singh

A petition at flag "D" filed by the petitioner on 5.5.48 praying to withdraw this civil revision petition as he does not want to proceed with it in view of an amicable settlement with the opposite parties.
 For orders.
 Bench.

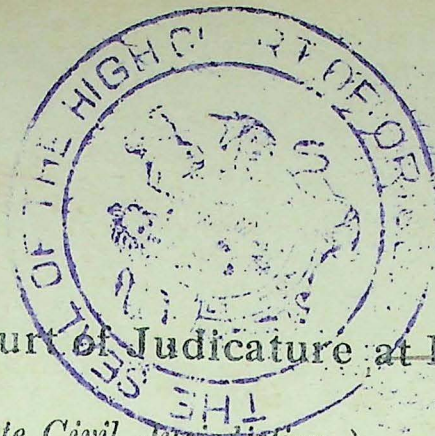
8.02
7.5.48.

Mr. d. k. Dasgupta, adv, has received the copy of this petition on 7.5.

8. 10.8.47 Decree signed and sealed.

R. M. 2/1

Decree signed and sealed to day. Memo. No. 2695 of 12.8/48
 Copy of order No. 7, and copy of decree along with L.C.R. forwarded to the Subjudge, Muz. 12.8.48.



In the High Court of Judicature at Patna, Orissa, Calcutta

(Appellate Civil Jurisdiction.)

Civil Revision
Appeal from Original

No. 60 of 1947.

Application
Appeal preferred on the 10th day of April 1947, against
the Order of Sri N. C. Ganguli, M.A., B.L. the
Subordinate Judge of Puri, dated the 31st day of
January 1947, in Misc. Case Suit No. 77 of 1946.

Krushna Chandra Mahapatra

Petitioner ~ Petitioner

Versus.

1. Bansidhar Mahapatra
 2. Bedyadhar Mahapatra
 3. Brukodar Mahapatra
 4. Bimbadhar Mahapatra
 5. Krushna Chandra Samantra
 6. Kumpasindhu Satpathy
 7. Lokanath Subudhi
 8. Bhikari Santra
 9. Bancharidhi Sahu
- Minors represented by
their brother guardian
Bansidhar Mahapatra

opposite parties ~ Opposite parties

60/1947-4

Application

~~APPEAL~~ valued for purposes of JURISDICTION at Rs. 28,000/-

Ditto for purposes of COURT-FEE at Rs. 28,000/-

THIS APPEAL coming on for hearing before

THE HON'BLE Mr. Justice Lingaraj Panigrahi

AND

THE HON'BLE Mr. Justice Ramswami Lakshmi Narasimham. J.C.S.,

two of the Judges of this Court

on the 26th day of July 1948, in the presence of

Mr. P.C. Chatterjee appearing on behalf of the Appellants/Petitioner

AND

Mr. L. K. Dasgupta appearing on behalf of the Respondents, opposite parties 1 to 4.

IT IS ORDERED ~~AND DECREED~~* that the application be and the same is hereby allowed to be withdrawn. 3

And it is further ordered that the opposite parties do get half the costs

AND it is further ORDERED ~~and DECREED~~* that the petitioner do pay to the opposite party the sum of Rupees thirty-five and annas seven and pies seven ^{half of} only as per details at foot, being the amount of costs incurred by the latter in this Court, with interest thereon at the rate of six per cent. per annum from this date, until realization.

AND it is further ORDERED and DECREED* that the
do pay to the the sum of Rupees
being the costs incurred by the latter in the Lower Court, with interest
thereon at the rate aforesaid from the date of the order of the said
Lower Court until realization.

Dated this 26th day of July in the year of

Our Lord One Thousand Nine Hundred and Forty eight.

MEMO. OF COSTS.

Heads of Costs.	Appellant.			Respondent. <i>Ops 1/6/4</i>		
	Rs.	A.	P.	Rs.	A.	P.
Drawing Grounds of Appeal				-	-	-
Hearing fee				64	-	-
Advocate's Clerk's fee				3	3	2
Court-fee for Memo. of appeal				-	-	-
.. for Vakalatnama				3	12	-
.. for Tullubans						
.. on petitions						
.. for copy of Decree and Judgment						
Affidavits						
Guardian's cost						
Costs of preparation of Paper-book... ..						
Costs of former hearing						
TOTAL				70	15	2

Half the Costs allowed By order of the Court. Rs 35 - 7 - 7

J. K. Singh
10.8.48
Deputy Registrar.

*The words " and decreed " will have to be cut out in case of appeal from order.