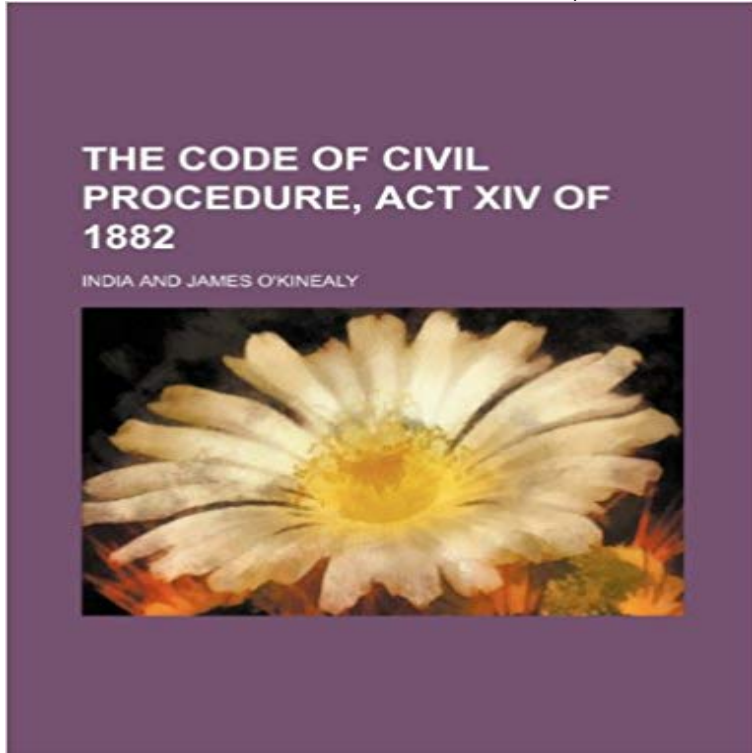


The Code of Civil Procedure, ACT XIV of 1882



This historic book may have numerous typos and missing text. Purchasers can download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1883 edition. Excerpt: ...I. L. E., 4 Bom., 611. It has been held that the limitation of one year does not apply to a suit by the judgment-debtor against the intervenor--Nitta Kolita vs. Bishnuram Kolita, 2 B. L. E., App., 49, especially when the judgment-debtor charged that the successful intervenor was his mortgagee in possession--Cheriyarakel vs. Vayaka Parambath Imbichi Ammah, 6 Mad., 416; nor to a suit by one attaching creditor against another who, having obtained a decree against an intervenor declaring that the property released was that of the judgment-debtor, executed his decree and bought the property--Chintamani Sen vs. Iswar Chandra, 3 B. L. E., App., 122; nor, to a suit by a person who comes in too late to be made a party to the proceedings under section 280, 281 or 282--Baghoonath Doss Mohapattur vs. Bydonath Doss Maharatha, 14 W. E., 364 j nor to a suit between rival claimants--Doorgaram Boy vs. Raj Nuro Sing Deb, 11 W. E., 134, A minor is not bound by the one years limitation--Sheekh Khoda Box vs. Budri Narain Singh, 8 C. L. E., 306, he may bring a suit under this section within one year of attaining his majority. See Limitation Act, 1877, section 7--Phoolbas Koonwur vs. Jogessur Lall Sahoy, I. L. E., 1 Cal., 226 j L. E., 3 Ind. App., 7. 284. Any Court may order that any property which power to order property has been attached, or such portion there rTMceeds tidti per1-of as may seem necessary to satisfy the entitled. decree, shall be sold, and that the proceeds of such sale, or a sufficient portion thereof, shall be paid to the party entitled under the decree to receive the same. A judgment-debtor applied to hare certain property attached in execution sold in successive shares. The

Judge refused the application. Held, the debtor could appeal...

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