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Govt. of {1885} Madras.

JUDICIAL.

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Issued

Recd. 28/10/85 Encl.

G.O., 22nd October 1885, No. 2828.

No 2063 Wat Nov 9th 1885

OCTOBER.

Appeals.

Communicating to the Secretariat department and to heads of offices proceedings of the High Court regarding the exclusion of certain days in computing the period of limitation prescribed for —.

No 2063 Wat Nov 9th 1885

R

Communicated to

Secretariat & office officers of the Public Works of the P. W. Dept Department generally generally.

1.11.85

C.E. for I ✓
C.E. for Rys ✓
S. Es ✓
S.E.I. & S ✓
C.A. & Govt ✓
Engr in Chief & S. Ry Survey.
Examiner P W Accts
Examiner Rlys Ry Accts
Examiner State Ry Accts
Supts & H Works ✓

Posted 9/11/85

22ND OCTOBER 1885, No. 2828, JUDICIAL.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—the following paper :—

Proceedings of the High Court of Judicature at Madras, dated 9th October 1885, No. 2740.

Read letter, dated the 10th instant, No. 135, from the Officiating District Judge, Cuddapah, requesting to be informed whether, in computing the period of limitation prescribed for an appeal, the day on which stamps are called for should be excluded, also whether the day on which the copy is applied for and that on which the copy is furnished are likewise to be excluded.

The practice in the High Court is that neither the day on which stamped papers are called for nor the day on which they are supplied is reckoned against the appellant. The day on which copy is applied for and that on which it is ready for delivery are excluded in appellant's favor.

2. "The time requisite for obtaining a copy" is to be excluded (section 12 of the Limitation Act, 1877). To obtain a copy, it is necessary to apply; therefore the day of applying should be excluded. It cannot be obtained till it is ready, so that the day on which it is ready cannot be reckoned. And for the very same reasons, the practice of the High Court in excluding the days on which the necessary stamps are fixed and paid, seems to be reasonable and correct. In some few cases possibly the number of stamp papers required may be made known at so early an hour that they ought to be supplied on the same day, but it would be impossible to go into such minute details, and the most reasonable rule is that which is adopted in the High Court.

(True Extract.)

(Signed) H. T. ROSS,
Acting Registrar, Appellate Side.

ORDER—dated 22nd October 1885, No. 2828, Judicial.

Communicated to the heads of departments under the Chief Secretary and to the departments of the Secretariat.

(True Extract.)

H A Cleare

Acting Asst. Secy. to Govt.

To the Heads of departments under the Chief Secretary.
" Departments of the Secretariat.

Exd. T. O'Connor.

B. No 2803 W dy 9th Nov 85

Communicated to officers of the Public Works Department generally.

/Sd/ J. L. S.
W

Govt. of {1885} Madras.

JUDICIAL.

Issued

Recd. *Encl.*

G.O., 22nd October 1885, No. 2828.

B. No 2803 W dy 9th Nov 85

OCTOBER.

C. E. for T.
C. E. for Nyp.
Sy Engineers
S. E. I. M. S.
C. A. to Govt
Engr in Chief M. S. Ry Survey
Exr P. W. Accts

Appeals.

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With order

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Acting Asst. Secy. to Govt.

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" Departments of the Secretariat.

Exd. T. O'Connor.

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" Departments of the Secretariat.

Exd. T. O'Connor.

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அச்சு பல்லகை வாலாயம்

தபாற்பிட்டவர் பொறுப்பிலிருக்கும்

என் _____, தேதி—

எடுத்த தேதி.	எதன் பொருட்டு:		
	தாள்.	நடப்பு என்	ஆண்டு.
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