3,000—5-3-98.

# Revenue (1898) Department.

MISCELLANEOUS SERIES.

G.O., No. 4644

DATED 25—11—98

[Despatch Abstract.]

Recording ~~repeal~~ B.P. submitting ~~repeal~~ letter from the Collector of Nasik repeating that it is not desirable to institute a Civil Suit against any one of the three individuals who were ~~Convicted~~ held Conjointly liable for the ~~d~~ damages awarded to Messrs Austey with the Secy. of State for India

## BACK PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
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Revenue

~~Judicial~~ (1898) Department.

CURRENT No. 7827

Mr. only noted Mr 10/11

Submitted 15.11.98.

G. Order misc no 4644 d/25-11-98

Recorded Mr 19.11.98

To Mr. Bd of L.R. — Desp 28.11.98

From The Board of Revenue (Land Rev.)

Rep. Forest No. 428

Dated 11th Nov. 1898

Received 16/11

Registered 17/11

Enclosures —

Spare copies

Secy

Please see note under Ep. 660 d 2. April 98 & the reference to the Bd on the Govt solicitors opinion in Ep. 1725 d 22.4.98. From the present report it seems hopeless to attempt to recover anything by taking civil proceedings Mr 19.11.98

SUBJECT.

Submitting for Govt reports in compliance with called for by it regarding payment of damages awarded to Miss Austey F of N-Arot

## BACK PAPERS.

| G.O. | No. | Department. |
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## FURTHER PAPERS.

| G.O. | No. | Department. | Date. |
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Office of the Board of Revenue
(Land Revenue)
Madras, dated 11 November 1898

Read Government Order, Revenue Department, dated 22 April 1898, No. 1728 Mis.

" also telegram from the Collector of North Arcot, dated 25 April 1898, requesting the return of the Judgment and decree in Miss Austey's suit, and the following reference thereon dated 26 April 1898, No. 191.

The Collector of North Arcot is requested to furnish the information called for in para 3 of the G.O. read above.

2. The documents asked for in the Collector's telegram of the 25 April 1898 together with certain other original papers received from him have been returned separately.

Also letter from J.K. Batten Esqr, Acting Collector of N. Arcot, dated 20 October 1898, No. 2533 Revenue, submitting report called for by the Government in connection with the payment of damages in Miss Austey's suit against Government and forwarding certain decrees &c for information.

Forest Reference No. 428, dated 11 November 1898

In its order No. 1728 Mis dated 22 April 1898

1898, the Government directed that the full amount of damages and costs awarded by the High Court in favour of Miss A. L. Austey* should be paid by the Department into the District Court, North Arcot. The Government at the same time called for a report as to whether Mr. Heppen and his agents, who were also held by the High Court liable conjointly with the Secretary of State as defendants were in a position to contribute their share of the payment made and whether it was desirable to institute a suit against them for the recovery of it.

* A.J. Nos no of 1896 --- 149 of 1896

| | Amount of Damages 1/3 of 1000 | Share of Cost | Total |
|---|---|---|---|
| | Rs as p | Rs as p | Rs as p |
| Mr. F.D. Heppen ... | 333-5-4 | 188-7-8 | 521-13-0 |
| Khastan Khan Sahib .. | 333-5-4 | 188-7-8 | 521-13-0 |
| Diwan Bahadur Miss Jayalakshmi Sahib | 333-5-4 | 188-7-8 | 521-13-0 |

2. The Collector reports that both Mr. Heppen and Khastan Khan Sahib who were residing in Bangalore own no property there. The former is now an inpatient in the Hyderabad Resident Hospital. It is not known whether he has any assets in Hyderabad. As regards Miss Jayalakshmi Sahib, it is stated that she possesses an interest in certain properties in North Arcot worth about Rs 110. besides Rs 175 which is held by the District Forest Officer as security deposit in connection with a coupe contract and a house to which however his wife appears to lay claim. He has informed the District Forest Officer personally of his willingness to pay Rupees 333-5-4 and the Collector thinks that the security deposit of Rupees 175 may also be appropriated in due course towards settling his account. There will then be only Rupees 13-7-8 to be recovered from him which may not improbably be recovered.

3. The Collector is of opinion that it is undesirable to institute a suit against any of these individuals and the Board concurs in this view as they do not appear to possess sufficient property to make it worth while to incur expenditure on litigation.

Lionel Davidson

Ag. Secretary.

To The Secretary to Govt
Revenue Department

*When given for copying*_____
*When copied*_____ } 189 .
*When examined*_____
*When signed*_____

READ AGAIN G.O., No. , DATED
189 ,

CURRENT No. 1

ENCLOSURES TO C. No.

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| ORDER OF GOVERNMENT .. .. .. | A | A | A | A | A | A | A | | |
| LETTER OF GOVERNMENT. | | | | | | | | | |
| STATEMENT WITH DITTO. | | | | | | | | | |
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*N.B.*—

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