

*Civil Petition.**Ex parte* HARBHA'T BIN RA'MCHANDRABHAT.1864.
Nov. 24.*Pension—Attachment—Act VI. of 1849.*

An order made by a District Judge, rejecting an application to attach a pension,—on the ground that, being a Political pension, it could not be attached, under Act VI. of 1849—was reversed, on petition, by the High Court, which directed the pension to be attached.

THE petitioner, on the 11th of January 1858, by an arbitration award, obtained a decree against Lakshmíbái, *alias* Tánibái, kom Venkatráv Patnir; and on the 29th of March 1864 recovered by attachment, from the defendant's pension, the sum of Rs. 3,892-7-0, being the amount for five years.

He subsequently applied, by darkhást, to the Acting Judge of Dhárwár, to have the pension for 1863-64 attached in the same way. The Judge then addressed the Collector of Belgaum, who replied that, as the pension was a political one, it could not, under the orders of Government Letter, and Act VI. of 1849, be attached. The Judge made an order, accordingly, rejecting the application, on the 20th of April 1864.

Against this order Harbhat presented a petition to the High Court, on the 27th of July 1864; and obtained a *Rule nisi* calling upon the opposite party to show cause why the arrears of pension due for 1863-64 should not be attached.

The case came on for hearing, on the 19th of July, before AENOULD, Acting C.J., NEWTON and TUCKER, JJ.

The opposite party did not appear.

PER CURIAM :—The Court reverses the order of the Judge; and directs the pension to be attached.

Application granted.