false entry in his diary for the purpose of saving himself from punishment. Two authorities have been cited to us in this Court. One is that of *Queen-Empress* v. *Gauri Shankar* (1) and the other that of *Queen-Empress* v. *Girdhari Lal* (2). In our opinion the appellant committed the offence under section 218 of the Indian Penal Code. We dismiss his appeal.

REVISIONAL CIVIL.

*Before Sir John Edge, Kt., Chief Justice and Mr. Justice Blair.**

RAM CHANDAR (PLAINTIFF) *v.* CHANDI PRASAD AND OTHERS (DEFENDANTS).

Act No. XV of 1877 (*Indian Limitation Act*), *section* 20—*Part payment of debt—Endorsement of hundi by debtor.*

Where the only evidence in the handwriting of the debtor of the part payment of the principal of a debt was the endorsement of a hundi to the creditor; *held* that such endorsement was not sufficient within the meaning of section 20 of Act No. XV of 1877 to give a new starting-point for limitation. *Mackenzie* v. *Tiruvengadathan*, (1) referred to.

THIS was a suit in a Court of Small Causes to recover Rs. 426-1-6 as due on an account. The defendants pleaded that the claim was barred by limitation. The plaintiff relied upon the endorsement made on a hundi given him by the defendants as evidence of part payment within the meaning of section 20 of the Indian Limitation Act, 1877. The Judge of the Small Cause Court overruled this plea, relying on *Mackenzie* v. *Tiruvengadathan* (1), and dismissed the suit. The plaintiff applied in revision to the High Court.

Mr. *D. N. Banerji* for the applicant.

Munshi *Jwala Prasad* and Munshi *Madho Prasad* for the opposite parties.

EDGE, C.J. and BLAIR, J.—This case is covered by the decision of the Madras High Court in *Mackenzie* v. *Tiruvengadathan* (1). We agree with the decision of the Madras Court, and we dismiss this application with costs.

Application dismissed

* Civil Revision No. 23 of 1896 from a decree of Bábu Nilmadhab Rai, Judge of the Small Cause Court, Benares, dated the 30th March 1896.

(1) I. L. R., 6 All. 42. (2) I. L. R., 8 All. 653.
(3) I. L. R., 9 Mad. 271.