

Privy Council Appeal No. 96 of 1916.

Bengal Appeal No. 27 of 1914.

Meghraj and Others - - - - - *Appellants.*

v.

Musammat Bidyabati Koer and Another - *Respondents.*

FROM

THE HIGH COURT OF JUDICATURE AT FORT WILLIAM IN BENGAL.

JUDGMENT OF THE LORDS OF THE JUDICIAL COMMITTEE
OF THE PRIVY COUNCIL, DELIVERED THE 14TH MAY, 1918.

Present at the Hearing :

LORD SUMNER.
SIR JOHN EDGE.
MR. AMEER ALI.
SIR WALTER PHILLIMORE, BART.

[*Delivered by* LORD SUMNER.]

Their Lordships have had before them the materials which were before the High Court, namely, the evidence taken by the Officiating Subordinate Judge and his judgment as set out in the order sheet. Their Lordships are unable to say that, in declining to act upon the conclusion of the Officiating Subordinate Judge, the High Court was wrong, and their Lordships are unable to say that, in exercising its discretion in the way in which it did exercise it in favour of the plaintiff the High Court, on the materials before it, was wrong.

Their Lordships will therefore humbly advise His Majesty that this appeal fails, and must be dismissed.

In the Privy Council.

MEGHRAJ AND OTHERS

MUSAMMAT BIDYABATI KOER AND
ANOTHER.

DELIVERED BY LORD SUMNER.

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