

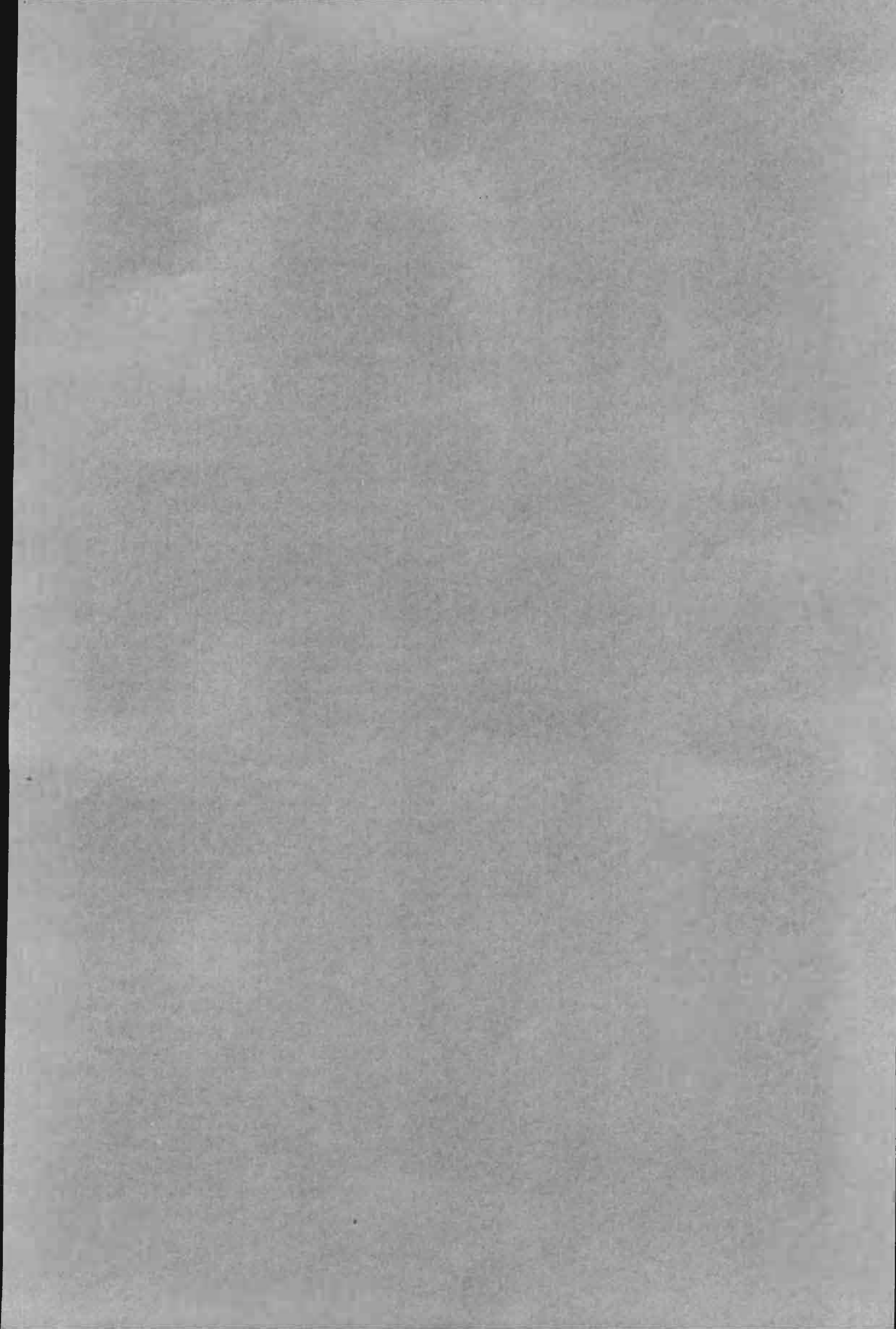
Judgment of the Lords of the Judicial Committee of the Privy Council on the Appeal of Lallee Tahoo and others v. the Collector of Terhoot representing the Court of Wards and others, from the High Court of Judicature at Fort William in Bengal; delivered 19th January, 1871.

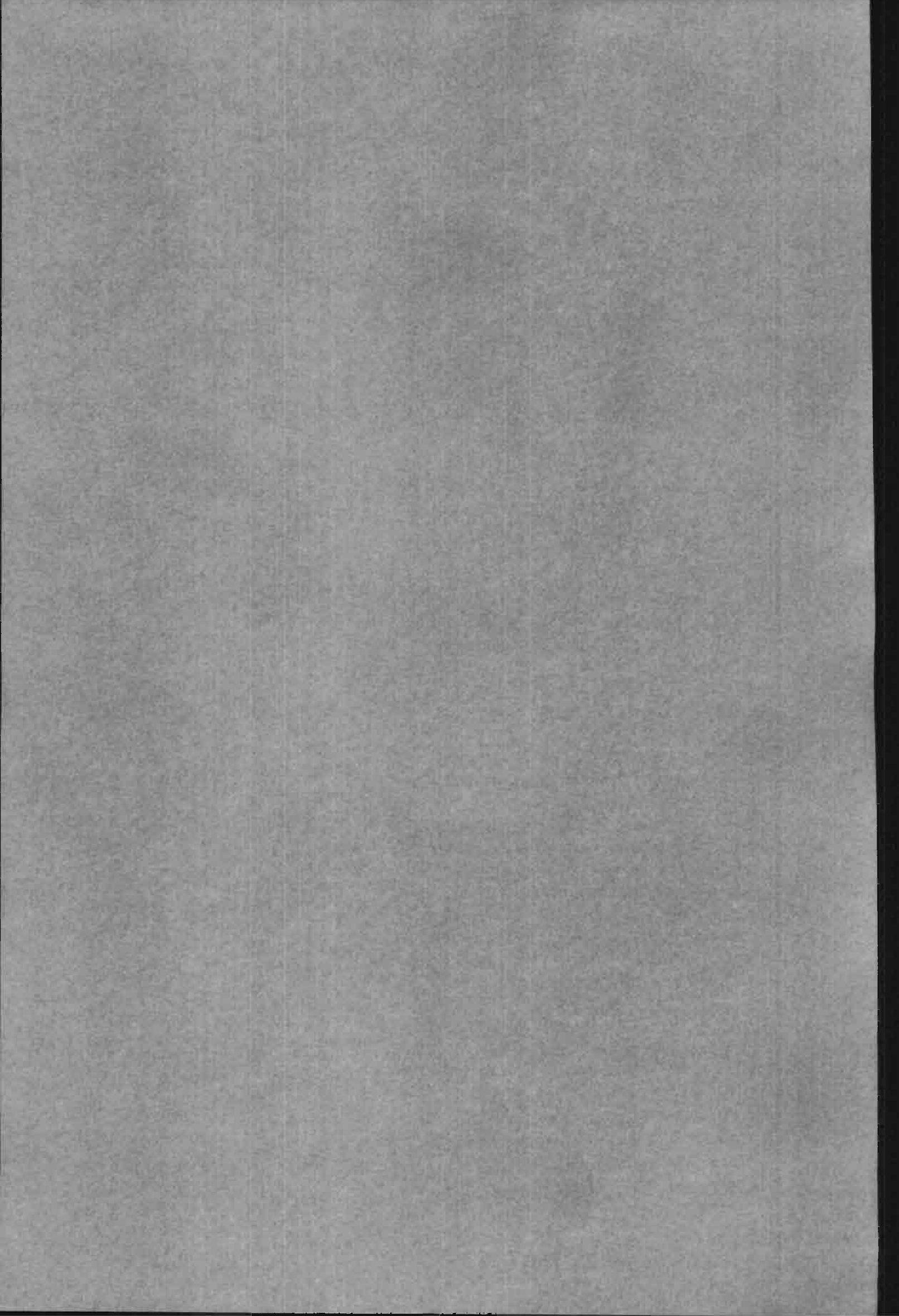
Present:—

LORD CAIRNS.
SIR JAMES W. COLVILLE.
SIR JOSEPH NAPIER.

SIR LAWRENCE PEEL.

THEIR Lordships are clearly of opinion that there was no compromise concluded here in such a way as to prevent the character and particulars of the claim being reconsidered upon the Petition to review. On the contrary, provision was made in the original order to keep alive the right of either party, if dissatisfied, to have a Petition of Review. We then find that upon that Petition of Review the Court of First Instance was entirely dissatisfied with the evidence in support of the Plaintiffs' claim. We find that the Court of Appeal, there being no ground of Appeal on the question of rejection or reception of evidence, arrived at the same conclusion. They considered that the evidence was of a suspicious and unsatisfactory nature, and it would be quite impossible for this tribunal upon a question of fact of this kind, and where the controversy is as to the weight to be attributed to evidence, to differ from the decision of the two Courts below, unless their Lordships found that there had been some violation of the ordinary principles upon which causes ought to be tried. We do not find that there was any miscarriage of that kind in this case, and therefore we must humbly advise Her Majesty that this Appeal should be dismissed with costs.





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Judgment of the Lords of the Judicial Committee of the Privy Council on the Appeal of Laltjee Tahoo and others v. the Collector of Tirhoot representing the Court of Wards and others, from the High Court of Judicature at Fort William in Bengal; delivered 19th January, 1871.

Present:—

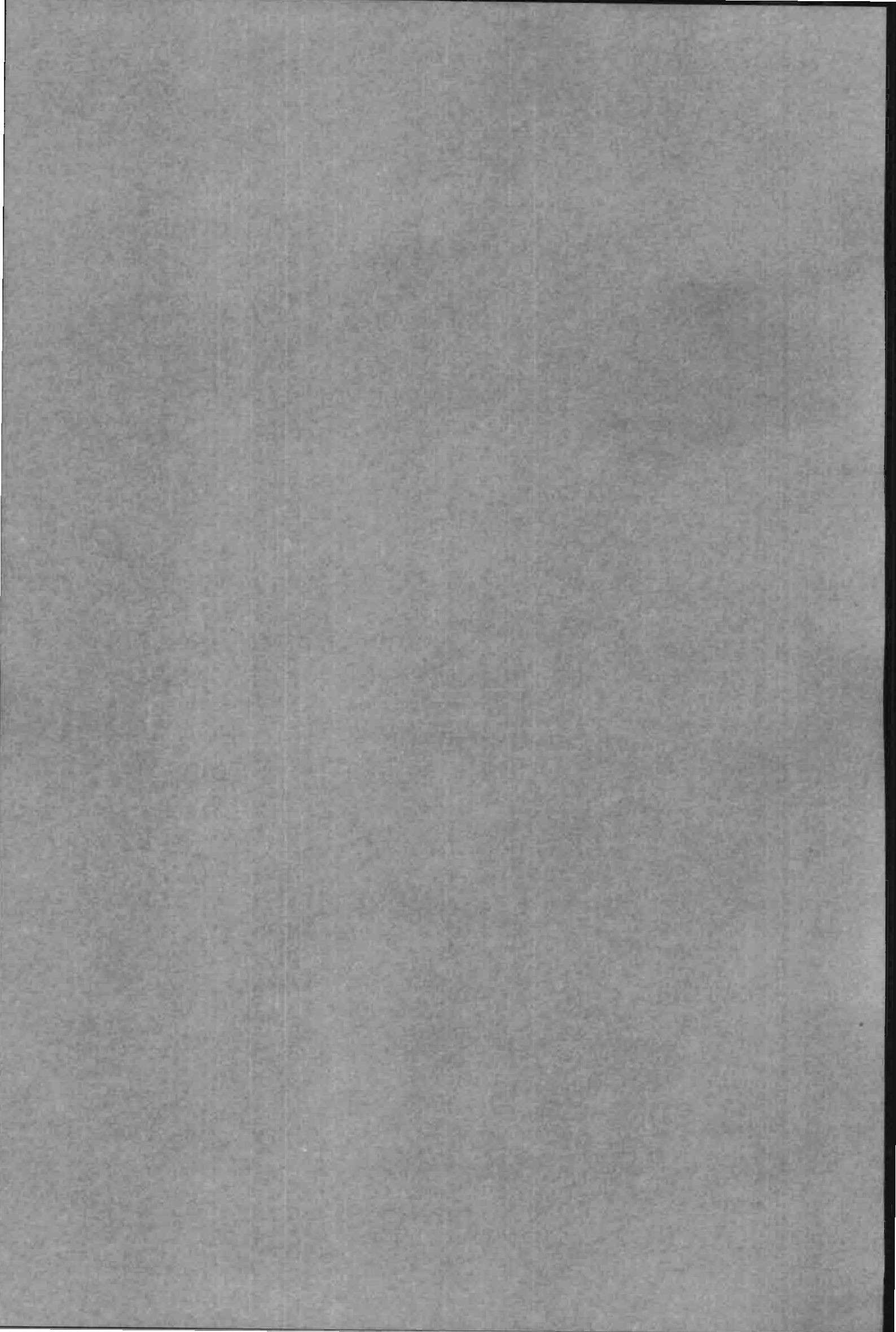
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