

*Judgement of the Lords of the Judicial Committee  
of the Privy Council on the Appeal of Ajudhia  
Buksh and another v. Rukmin Kuar and others,  
from the Court of the Judicial Commissioner of  
Oude; delivered 17th November 1883.*

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Present:

LORD FITZGERALD.

SIR BARNES PEACOCK.

SIR ROBERT P. COLLIER.

SIR RICHARD COUCH.

SIR ARTHUR HOBHOUSE.

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THEIR Lordships are of opinion that, upon the principle laid down by Lord Justice Turner in the case of *Lainson v. Lainson*, 5 De Gex, Macnaghten, and Gordon, 754, to which they have been referred by Mr. Cowell, even if the widow was not a person who would have succeeded to any interest in the estate if the Rajah had died intestate, the son's estate was accelerated. That being so, without expressing any dissent from the opinion expressed by the learned Judges of the Court below, their Lordships are of opinion that, upon the legal construction of the will, the Plaintiff has no valid claim to any interest in the estate.

Their Lordships will, therefore, humbly advise Her Majesty that the Appeal should be dismissed, and the decision of the Judges of the Lower Court affirmed. The Appellant must pay the cost of the Appeal.

[46]

