

Judawan Prasad - - - - - *Appellant*  
v.  
Shatruhan Prasad - - - - - *Respondent*

FROM

THE COURT OF THE JUDICIAL COMMISSIONER, CENTRAL PROVINCES.

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JUDGMENT OF THE LORDS OF THE JUDICIAL COMMITTEE OF THE  
PRIVY COUNCIL, DELIVERED THE 7TH FEBRUARY, 1924.

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*Present at the Hearing :*

LORD SHAW.  
LORD PHILLIMORE.  
LORD BLANESBURGH.  
SIR JOHN EDGE.  
LORD SALVESEN.

[*Delivered by LORD SHAW.*]

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This is an appeal against a decree of the Court of the Judicial Commissioner of the Central Provinces reversing a decree of the District Judge at Raipur which had dismissed the suit.

There are two questions in the appeal. One has reference to the adoption of a child who has been for 24 years in possession since the alleged date of adoption of a certain village property. The other point in the appeal is one of limitation.

Their Lordships however have come to a certain conclusion on the first of those two points, which renders it unnecessary to deal with the second.

On a question of fact of this kind their Lordships simply announce the decision of the Board which is to the effect that they entirely agree in substance with the decree pronounced by the Court of the Judicial Commissioner. That decree while reversing the decree of the District Judge contains certain observations with regard to a judicial officer which in their Lordships' opinion were, from anything appearing in the record, unnecessary, and which do not add to the strength of the judgment. That judgment, however, thus reversing the decree of the District Judge is in their Lordships' opinion substantially correct as a review of the evidence upon the question of fact. Their Lordships have had nothing before them which in their view would justify a reversal of the decree passed in accordance with the judgment; which will accordingly stand, and the costs of the appeal will fall upon the appellant. Their Lordships will humbly advise His Majesty in that sense.

In the Privy Council.

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JUDAWAN PRASAD .

v.

SHATRUHAN PRASAD.

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DELIVERED BY LORD SHAW.

Printed by  
Harrison & Sons, Ltd., St. Martin's Lane, W.C.

1924.